



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 5129/2025

- (1) **Dr. Babasaheb Ambedkar
Samaj Sudharak Mandal
Alpasankhyank (Dharmik),
Raheri Bu., Tah. Sindkhed Raja,
District Buldhana, Through its
President**
- (2) **Jeevan Vikas Madhyamik Va
Uccha Madhyamik Vidhyalaya,
Sathegaon, Tah. Sindkhed Raja,
District Buldhana, Through its
Headmaster**
- (3) **Anil S/o Sukhdeo Zote,
Aged about 46 years, Occ.
Service, R/o. Waghjai, Tah.
Sindkhed Raja, District
Buldhana**

.....PETITIONER(S)

// VERSUS //

- (1) **The State of Maharashtra,**
Through its Secretary, School
Education and Sports
Department, Mantralaya,
Mumbai 400032
- (2) **The Deputy Director of
Education,** Amravati Division,
Amravati
- (3) **The Education Officer
(Secondary),** Zilla Parishad,
Buldhana

.....RESPONDENT(S)

.....
Shri R.D. Karode, Advocate for the Petitioner(s)
Ms. Prachi Joshi, AGP for the Respondent/State
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CORAM : M.S. JAWALKAR & M.W. CHANDWANI, JJ.
NOVEMBER 06, 2025

ORAL JUDGMENT :- (PER:- M.S. JAWALKAR, J.)

. **RULE. Rule made returnable forthwith.** Heard finally
by consent of learned Counsel for the respective parties.

(2) The issue involved in the present Petition is that
whether the ban which is referred by the Education Officer in

the communication dated 21/08/2024 is applicable in respect of the Petitioner – Society, as it is a Minority Institution. The Petitioner – Society has placed on record the certificate of Minority Institution which is issued on 23/07/2019. The Education Officer refused to grant approval on the basis of the communication dated 26/09/2024 issued by the Desk Officer, State of Maharashtra.

(3) This issue is already covered by the judgment of this Court dated 16/11/2021 passed in **Writ Petition No. 2538/2021 (Ubhajo Shikshan Sanstha & others vs. State of Maharashtra & others)**. The only reason given for refusing the approval is the ban on the recruitment process. In view of the judgment in **Ubhajo Shikshan Sanstha (supra)**, the ban on the recruitment process is not applicable to the Minority Institutions. There is no dispute over the point that the Petitioner No. 1 is a Minority Institution.

(4) Hence, we proceed to pass the following order:-

(a) The Writ Petition is **allowed**.

- (b) The impugned communication dated 21/08/2024 issued by the Respondent No. 3 – Education Officer (Secondary), Zilla Parishad, Buldhana is hereby quashed and set aside.
- (c) The Respondent No. 3 – Education Officer is hereby directed to grant approval to the appointment of the Petitioner No. 3, within a period of three weeks from today, if there is no other objection for grant of approval.
- (d) Thereafter, the Respondent No. 2 – Deputy Director of Education shall issue Shalarth ID in the name of the Petitioner No. 3.

Rule is made absolute in the above terms. Pending Application(s), if any, stand(s) disposed of.

(M.W. CHANDWANI, J.)

(M.S. JAWALKAR, J.)