



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 12763 OF 2024

Indrayanai Mahila Sevabhavi Sanstha  
Through Its Secretary

...Petitioner

**Versus**

The State of Maharashtra and Others

...Respondents

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- Mr. Solanke Shrikrashna B., Advocate for the Petitioner.
- Mrs. B. B. Gunjal, AGP for Respondent – State.

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**CORAM : AJIT B. KADETHANKAR, J.**

**DATE : MARCH 10, 2026**

**P. C. :**

1. The petitioner relies upon an order passed on 06<sup>th</sup> July 2023 in Writ Petition No.4530 of 2022. He submits that the licenses of similarly situated institute was cancelled by the Competent Authority on the same day i.e. 19<sup>th</sup> March 2020. The party aggrieved thereby had approached this Court vide said writ petition.

2. During the course of hearing of that writ petition, the learned AGP was directed to ascertain from the competent authority as to whether the subject matter deficiencies in that writ petitioner was removed or not. It is submitted that in the said matter, the learned AGP has informed the Court that the deficiencies had been removed by the petitioner therein.

3. Mr. Solanke, learned counsel for the petitioner would submit that consequently, after hearing the submissions of the learned AGP in that matter, this Hon'ble Court quashed the order cancelling the petitioners' license as also the order passed by the Hon'ble Minister. Further, the learned commissioner was directed to pass a fresh order in view of removal of the deficiencies.

4. For the sake of convenience, the order passed by this Court is reproduced as follows :

*“1. Registration/license to run the school for disabled person came to be cancelled since certain deficiencies were found. Learned Commissioner therefore, passed an order dated 19-03-2020. The petitioner challenged the said order before the Hon'ble Minister. The Hon'ble Minister after considering the report and the record passed the order dated 07-01-2022, confirming the order passed by the learned Commissioner under the Persons with Disabilities [Equal Opportunities, Protection of Right and Full Participation] Act, 1995. The petitioner, therefore, has approached this court. This court by order dated 26-04-2022 issued notice for final disposal by directing the learned AGP to file reply stating as to whether the petitioner has removed deficiencies in view of the letter dated 30-06-2020 that was issued by him to the authorities pointing out that deficiencies are removed. Pursuant to that action inspection was carried out. Now by communication dated 14-06-2023 the learned*

*Commissioner has informed the learned AGP that deficiencies have been removed. Learned AGP in view of this communication submits that since deficiencies are removed respondent No.2 has to pass necessary orders for granting permission. This communication dated 14-06-2023 is based upon the report received from the District Social Welfare Officer, Zilla Parishad, Beed.*

2. *In view of the above, orders passed by the Hon'ble Minister dated 07-01-2022 is hereby quashed and set aside consequently, the order dated 19-03-2020 passed by the learned Commissioner is also set aside.*
3. *Learned Commissioner-respondent No.2 could pass fresh orders in view of removal of deficiencies for granting license.*
4. *Needless to say that the learned Commissioner-respondent No.2 will pass consequential orders."*
5. Mrs. Gunjal, learned AGP, however, has taken me to the reply affidavit filed by the respondent authorities, particularly to paragraph Nos.9 and 10 of the same, which read as follow :

- "9. *The Commissioner of Disabilities, Pune in its statement submitted that CCTV cameras in the subject school are found to be closed and also the institute has not rectified the errors till the date. Therefore, the order dated 19.03.2020 is coherent and self -evident. The petitioner institute failed to produce any concrete or new issues in its defense. Therefore, the Appellate Authority did not find any reason to set aside the order of the Competent Authority -cum- Commissions, Person with Disabilities Welfare, Pune and dismissed the appeal.*
10. *Moreso, the Appellant / Petitioner in its defense has not produced any satisfactory explanation /*

*documents about the removal of deficiencies and what proactive steps have been taken by the management to remove those deficiencies.”*

6. Mrs. Gunjal, learned AGP further submits that the case in hand is not at par with the case in Writ Petition No.4530 of 2022. She would submit that in the present petition the petitioner has not removed the deficiencies.

7. At this juncture, Mr. Solanke, learned counsel for the petitioner, makes a last request to direct the learned AGP to seek instructions as to whether the Commissioner, Disabilities Welfare is satisfied with the removal of the deficiencies or not.

8. Learned AGP shall take instructions and make an appropriate statement on 24<sup>th</sup> March 2026.

9. Stand over to **24<sup>th</sup> March 2026.**

**( AJIT B. KADETHANKAR, J. )**