



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 12763 OF 2024

Indrayanai Mahila Sevabhavi Sanstha Through Its Secretary
VERSUS
The State Of Maharashtra Through Its Secretary And Others

Mr.S.B.Solanke, Advocate for petitioner
Mrs.B.B.Gunjal, AGP For respondent nos.1 to 4

CORAM : AJIT B. KADETHANKAR, J.
DATE : APRIL 08, 2026

ORDER :-

On petitioner's failure to maintain the parameters scrupulously for operating a residential school for the specially-abled students at Naigaon, Dist.Beed, respondent no.2 - Commissioner and Competent Authority, Commissionerate for Persons with Disabilities, Maharashtra State, Pune, cancelled the certificate issued to the petitioner under Section 52(2)(3) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. The petitioner challenged that order vide an appeal before the Secretary, Department of Persons with Disabilities Welfare. After hearing the parties, the appellate authority also recorded the findings that the petitioner has fallen deficient to comply with the requirement to run the subject-matter school. The authority further submitted that

the cancellation of the certificate was properly ordered by the competent authority and as such the appeal also came to be turned down. As against the same, the petitioner filed present petition.

2. Mr.Solanke, learned counsel for the petitioner submitted that in the similar circumstances, a similarly situated school whose certificate was terminated, had approached this court. Upon receiving response from the competent authority that the parties have complied with the parameters and the requirement, this court directed the competent authority to reconsider the claim of those school. Mr.Solanke, learned counsel, would rely on order dated **06.07.2023 passed by this court in Writ Petition No.4530 of 2022 (Jai Santoshimata Sevabhavi Sanstha Vs. The Hon'ble Minister, Social Justice Department, Maharashtra State, Mantralayam Mumbai.** In the present case, response from the competent authority was sought by the learned AGP as to whether the petitioner has subsequently cleared the deficiencies or not. Vide a communication dated 07.04.2026, the Commissioner, Commissionerate for Persons with Disabilities, Maharashtra State, Pune, intimated the learned AGP that the petitioner has cleared and removed all the deficiencies and the petitioner fits in the parameters required for operating the subject-matter school. It is further

communicated in the letter that if the petitioner submits a proper and fully complied proposal through the established committee, appropriate decision can be taken for renewal of the certificate that was granted to the petitioner to run the subject-matter school. The communication is coupled with the Government Resolutions dated 17.10.2025 and 07.11.2025 as also the formats to be submitted for seeking renewal and compliance report. The communication and the documents annexed are taken on record and marked as "X" for identification. In view of this, the present Writ Petition can be disposed of by giving certain directions to the parties.

3. The petitioner may file a comprehensive proposal as is required in the above referred communication dated 07.04.2026 through proper channel with the competent authority within a period of one month from today. If such a proposal is filed, the competent authority i.e. the Commissioner, Commissionerate for Persons with Disabilities, Maharashtra State, Pune, shall pass appropriate order on its own merits. With these directions the Writ Petition stands disposed of.

[AJIT B. KADETHANKAR, J.]

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KBP