IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14083 OF 2023
WITH
CIVIL APPLICATION NO. 2212 OF 2024

Sambodhi Academy, Parbhani,
Office at : Block No. 6, Super Market,
Karegaon Road, Parbhani,
Through its Secretary namely,
Sheshrao s/o. Sakharam Jalhare,
Age 58 yrs., Occu. Agril.,
R/o. Shankarnagar, Parbhani,
Tq. & District : Parbhani. ...Petitioner.

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Social Justice & Special Assistance
Department, Mantralaya,
Mumbai-32.

2. Secretary,
Other Backward Bahujan Welfare
Department, Maharashtra State,
Mantralaya, Mumbai – 32.

3. Mahatma Jyotiba Fule Research and
Training Institution (MAHAJYOTI),
Dr. Babasaheb Ambedkar Samajik
Nyaya Bhavan, MA/15/1, S Ambazari
Road, Vasant Nagar,
Nagpur-440 022.
Through its Managing Director ...Respondents.

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Mr. V.D. Sapkal, Sr. Counsel a/w. Mr. A.D. Khedkar, Advocate i/b. Mr. D.M. Mane, Advocate for the petitioner.
Mr. P.K. Lakhotiya, AGP for respondent Nos. 1 to 3.

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WITH
WRIT PETITION NO. 14084 OF 2023
WITH
CIVIL APPLICATION NO. 2211 OF 2024

Sambodhi Academy, Parbhani,
Office at : Block No. 6, Super Market,
Karegaon Road, Parbhani,
Through its Secretary namely,
Sheshrao s/o. Sakharam Jalhare,
Age 58 yrs., Occu. Agril.,
R/o. Shankarnagar, Parbhani,
Tq. & District : Parbhani. **...Petitioner.**

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Social Justice & Special Assistance
Department, Mantralaya,
Mumbai-32.

2. Dr. Babasaheb Ambedkar Research and
Training Institution (BARTI), Pune
Head Office – 28, Queens Garden,
Camp, Pune-411 001.
Through its Director General. **...Respondents.**

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Mr. R.S. Deshmukh, Sr. Counsel i/b. Mr. A.N. Nagargoje, Advocate for the petitioner.
Mr. P.K. Lakhotiya, AGP for respondent No. 1 and 2.

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CORAM : ARUN R. PEDNEKER AND VAISHALI PATIL-JADHAV, JJ.
Dated : January 16, 2026

P. C. :-

1. By the present writ petitions, the petitioner/institution in both the writ petitions partially challenges the Government Resolution ('G.R.' for

short) dated 30.10.2023 issued by the State of Maharashtra by which the allotment/licence with aid, given to the petitioner/institutions to impart training to the students of SC category for preparing them for competitive examinations of the Bank, Railway, LIC etc. has been cancelled without giving notice to them. The above G.R. dated 30.10.2023 is challenged to the extent it withdraws earlier G.Rs. granting permission with aid to the petitioners to run the above training centers for five years.

2. The case of the petitioner, in brief is that in order to uplift the students of various sections of the society, the State Government has constituted the institutions namely Tribal Research and Training Institution (TRTI) Pune for the students of ST category, Dr. Babasaheb Ambedkar Research and Training Institution (BARTI) Pune for the students of SC category, Chhatrapati Shahu Maharaj Research and Training Institution (SARTHI) Pune for weaker section of open category and Mahatma Jyotiba Phule Research and Training Institution (MAHAJYOTI) Nagpur for the students of OBC, VJNT and SBC category.

3. It is stated that in response to the advertisement given by BARTI for empaneling the institutions to run the aided training center for the purpose of giving training to the students of SC category, vide G.R. dated 28.10.2021 various institutions were empaneled by BARTI including the institutions of the petitioner. However, vide impugned G.R. dated

30.10.2023, the State Government has cancelled the earlier G.R. dated 29.4.2022 and 19.5.2022 and the same is impugned in Writ Petition No. 14083/2023 and G.R. dated 30.10.2023 is impugned in Writ Petition No. 14084/2023 to the extent of superseding/cancelling the GR bearing No. BARTI-2019/P.K. 223/Bandhakame dated 28.10.2021.

4. Various issues are raised by the parties. However, we need not detained ourselves adverting to each and every argument advanced before us as in **Writ Petition (L) No. 30945 of 2023 (Anusuchit Jati Jamati Shikshan Sanstha and Ors. Vs. State of Maharashtra and Ors.) and other connected matters decided on 3.4.2024,** this Court at Principal Seat at Bombay High Court, while dealing with the challenge to the G.R. dated 30.10.2023 whereby the earlier G.R. dated 28.10.2021 has been revoked, has upheld the G.R. dated 30.10.2023 and dismissed those writ petitions. S.L.P. against the said judgment is also dismissed. This Court in the case of Anusuchit Jati Jamati Shikshan Sanstha (supra) has noted history of the writ petitions. In the earlier writ petitions, petitioners and other similarly situated persons challenged the earlier e-tender process for unified allotment of centers, primarily on the ground that the G.R. dated 28.10.2021 created a right in favour of the petitioners-training centers/institutions to continue to impart training for a period of five years and the principal seat at Bombay and benches at Aurangabad and Nagpur

passed certain interim orders providing therein that e-tender process may go-on but the same shall not be finalized. All such petitions were clubbed and placed before the Principal Seat of Bombay High Court. By the order dated 9.11.2023 the writ petitions were dismissed at the Principal seat at Bombay as having been rendered infructuous on issuance of impugned G.R. dated 30.10.2023. This court at Principal Seat at Bombay while dismissing the said writ petitions as infructuous, further made an observation that it will be open for the petitioners to challenge the G.R. dated 30.10.2023 by taking out appropriate proceedings with all permissible pleas and ancillary prayers. The said order was, however, challenged before Hon'ble Supreme Court by filing SLP © No. 2778 of 2023 which was dismissed by the Hon'ble Supreme Court vide order dated 3.1.2024.

5. The G.R. dated 30.10.2023 was then challenged in the bunch of petitions at Principal Seat at Bombay and also at Aurangabad Bench. In the above judgment of this Court in Anusuchit Jati Jamati Shikshan Sanstha (supra) at the Principal seat at Bombay, this Court has dealt with each and every argument which is made in the present writ petitions i.e. principle of *promissory estoppel* and *legitimate expectation* are dealt in the above noted judgment and has repealed the challenge to the G.R. dated 30.10.2023. This Court has particularly observed that in order to

invoke doctrine of *promissory estoppel* and *legitimate expectation*, the petitioners have to first establish that they had upon some promise/representation made by the Government allowing the petitioners to continue to impart the training for five years, altered their position. It is noticed in the said judgment that reference has been made to clauses 9 and 12 of the Government policy embodied in the earlier G.R. dated 28.10.2021 which states that training programme shall be conducted by the 30 centers for a minimum duration of five years and this programme shall be conducted for a duration of five years. It is noted in the above order that G.R. dated 28.10.2021 was followed by separate agreements entered into between the petitioners and BARTI where the term of conducting preparatory training programme is clearly mentioned as one year. Thus, the relationship between the petitioners and BARTI which is an autonomous institution functioning under the State Government, is to be governed by the terms of the agreement which clearly provided that the petitioners were engaged for a period of one year. Thus, having regard to the terms of agreement entered into between the petitioners and BARTI, this Court in Writ Petition (L) No. 30945 of 2023 and other connected matters has observed that it cannot be said that there was any categorical and unequivocal promise made by the State Government allowing the petitioners therein to run the training programme for five years. In the above order, it is also noticed that the principle of *promissory estoppel* and

legitimate expectation have to give away to change of policy of the State Government in case the policy is changed or altered, some larger public good or overriding public interest is sought to be achieved.

6. In the above case of Anusuchit Jati Jamati Shikshan Sanstha (supra), it is noticed that G.R. dated 30.10.2023 aimed to evolving a unified policy of preparatory training to the candidates seeking employment in Government, semi-Government and private/corporate sector which was also being provided by different Government departments other than the department of social justice and assistance, through different autonomous institutions such as SARTHI, MAHAJYOTI, AMRUT, TRTI etc. A new policy was introduced pursuant to the earlier G.R. dated 28.10.2021 to see that competitive bidding was resorted to for selecting the training centres/institutions for imparting preparatory training involving huge expenditure to be borne by the State exchequer. In order to provide for competitive bidding for selection of training centres/institutions, the earlier Government policy contained in the G.R. dated 28.10.2021 has been done away with and as such a policy shift is in public interest and thus, it is well within the authority and power of the State Government to formulate a policy which envisages a unified mechanism for imparting training to the candidates by different Govenment departments and the same is in larger public interest and

accordingly, challenge to G.R. dated 30.10.2023 is repealed. SLP filed against the judgment in the case of Anusuchit Jati Jamati Shikshan Sanstha (supra) is also dismissed.

7. The instant writ petitions also challenge the G.R. dated 30.10.2023. The learned senior counsel Mr. R.S. Deshmukh appearing for the petitioners in the Writ Petition No. 14084/2023 submits that G.R. dated 30.10.2023 deals with two different earlier G.Rs. of the same date i.e. 28.10.2021. Challenge before the Principal Seat is related with the G.R. dated 30.10.2023 wherein G.R. No. BARTI 2021/Pra.Kra.**116**/Bandkame Dt. 28.10.2021 was recalled, whereas in the instant cases, the petitioners challenge G.R. dated 30.10.2023 by which G.R. No. BARTI 2021/Pra.Kra. **223**/Bandkame Dt. 28.10.2021 has been revoked, is under challenge. The learned counsel submits that although there is challenge to the G.R. dated 30.10.2023 in present writ petitions, the challenge is distinct and the petitioners sought to recall the G.R. dated 30.10.2023 by which G.R. No. BARTI 2021/Pra.Kra. **223**/Bandkame Dt. 28.10.2021 has been revoked. To similar effect is the arguments of senior counsel Mr. V.D. Sapkal in Writ Petition No. 14083/2023.

8. The above submission of the petitioners that the challenge before the Principal seat and before this Court in the present writ petitions being distinct is not acceptable as the Government took a policy decision vide

impugned G.R. dated 30.10.2023 whereby it was decided to bring uniform policy of inviting the applicants by tender process for running the training centers as it involve large amount of public money. It is also noticed that the petitioners were engaged without tender process in imparting training only by one autonomous institution viz. BARTI whereas by the impugned G.R. dated 30.10.2023 it was decided to formulate a unified policy for imparting training to candidates belonging not only to SC category under BARTI, but also all other disadvantaged sections of the society under autonomous institutions of the State which are SARTHI, MAHAJYOTI, AMRUT and TRTI. Although the agreement was executed in pursuance of the G.R. dated 28.10.2021 for conducting preparatory programme for a period of one year, it was not placed on record and the same is pointed out by the State. The individual contracts executed is for one year period, there is general understanding that the license could have been continued for five years after verification in terms of the G.R. dt. 28.10.2021. However, the Government policy has undergone change. Since the parties have received the contract of running the institutions without any tender process and for larger public interest, State has changed the public policy and has invoked the policy of competitive bidding as the training centers are required to be allotted substantial funds by the State.

9. Considering this aspect of the matter, the Principal seat at Bombay

has already dismissed the above writ petitions and upheld the G.R. dated 30.10.2023 on the ground that it brings uniformity in policy. Such a policy being upheld in Writ Petition (L) No. 30945 of 2023 and other connected matters at the Principal Seat at Bombay, we are bound to follow the same and we are of the opinion that there is no difference as regards present writ petitions are concerned. The issue would be covered by the general policy of the State in G.R. dated 30.10.2023. Considering the above, there is no merit in the writ petitions and the same are dismissed. Civil applications, if any, are also disposed off.

(VAISHALI PATIL-JADHAV, J.) (ARUN R. PEDNEKER, J.)

ssc/