



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 WRIT PETITION NO.514 OF 2026

The Tahzeeb Education And Welfare Society Through Its Chairman And
Another

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

...

Mr. Jitendra V. Patil, Advocate for the Petitioners.

Mr. A. M. Phule, AGP for Respondents/State.

Mr. Yogesh Bolkar, Advocate for Respondent No.10.

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 17 MARCH 2026

ORDER :

. Heard learned Advocate for the petitioners. At this stage, we are issuing notice to respondent Nos.1 to 4 only. However, while dictating the order, learned Advocate Mr. Yogesh Bolkar appeared and submitted that he has instructions to appear for respondent No.10 and, therefore, we are permitting him to appear. He may file his Vakalatnama before the next date.

2. Present petition has been filed for quashing and setting aside the impugned proceedings/order dated 08.12.2025 initiated by respondent

No.4 for carrying out inquiry based on complaint filed by respondent Nos.7 to 15.

3. Learned Advocate for the petitioner submits that on the basis of complaint filed by third persons, respondent No.4 has passed the impugned order and directed the Block Education Officer, Panchayat Samiti, Chopda to submit the report. The said action on the part of respondent No.4 is against the Government Resolution dated 18.02.2025.

4. We find substance in the submissions on behalf of the petitioner. The impugned order is dated 08.12.2025 and the Government Resolution is dated 18.02.2025. Perusal of the Government Resolution would show that it is based on various decisions of this Court and it is specifically directed to the officers in the Education Department that they should follow the procedure that has been laid down in Notification dated 03.12.1958 and Government Circular dated 14.10.2019, if any cognizance is to be taken on the basis of a complaint filed by a third person. While doing so, they should also consider the various decisions of this Court. Impugned order also does not say that principles of natural justice have been adhered to before directing the Block Education Officer to make the inquiry. As per the learned Advocate for respondent No.10, the inquiry is completed and report has been submitted to the Education

Officer/respondent No.4 on 05.02.2026. The photocopy of the said report is tendered across the bar. In fact, we wonder as to how the copy of the internal communication is with respondent No.10. We, therefore, direct respondent No.4 not to take any action on the basis of said report till next date.

5. Respondent No.4 to remain present personally before this Court on the next date.

6. Leave to amend. Amendment to be carried out within a period of one week.

7. Stand over to 17.04.2026.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm