

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 266 OF 2025

Arbaj Nasir Mujawar

...Petitioner

**Versus**

The State Of Maharashtra Through  
The Principal Secretary And Ors.

...Respondents

....

*Adv. Kalyani Mangave i/b Adv. Ashish Pawar, for Petitioner.*

*Mr. Siddheshwar Kalel, learned AGP for the Respondent-State.*

....

**CORAM : MADHAV J. JAMDAR &  
PRAVIN S. PATIL, JJ.**

**DATE : 6<sup>th</sup> MAY, 2026.**

**P.C. :**

1. Heard.
2. In the present petition, the ground raised by the petitioner to challenge the order dated 16<sup>th</sup> January 2023 passed by the respondent No.3 - the Education Officer rejecting approval is that, although reasons are recorded in the impugned order, no opportunity of hearing was granted to the petitioner to address the deficiencies and the reasons recorded in the impugned order.
3. It is the submission of the learned counsel for the petitioner that all the deficiencies which are pointed out by the Education Officer in a

normal course, the Education Officer is required to grant one opportunity to the Management to satisfy the same and if the same are not satisfied, the Education Officer is at liberty to take the decision. However, in the present matter, no such opportunity was given to the Management to satisfy the deficiencies.

4. In the circumstances, considering the fact that the deficiencies pointed out in the impugned order and that the petitioner as well as the Management are ready to satisfy the same by filing a fresh proposal, it would be proper that the impugned order be quash and set aside and Management be granted liberty to file a fresh proposal and satisfy all the deficiencies.

5. In that event, the Education Officer shall consider the fresh proposal on its own merits and if he is not satisfied with the deficiencies, which are undertaken to be clarified by the petitioner and Management, then by granting hearing opportunity, pass a detailed order in the matter.

6. With this direction, the writ petition stands disposed of.

7. No order as to costs.

[ PRAVIN S. PATIL, J.]

[MADHAV J. JAMDAR, J.]