IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13105 OF 2026

Phule Education Society through Chairman ...Petitioner

Vs.

The State of Maharashtra through its Principal Secretary and Others ...Respondents

with

WRIT PETITION NO. 13104 OF 2026

Veershaiv Kakkya Geeta Samajik

Sanskrutik Sanstha through

Signatory Mayur Ramdas Suryawanshi ...Petitioner

Vs.

The State of Maharashtra through Principal Secretary and Others ...Respondents

MAMTA AMAR KALE
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with

WRIT PETITION NO. 13103 OF 2026

Phule Education Society through Chairman ...Petitioner

Vs.

The State of Maharashtra through its Principal Secretary and Others ...Respondents

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Mr. Vidyasagar Bhave i/b. Talekar and Associates, for the Petitioners.

Mr. O. A. Chandurkar, Addl.G.P. a/w. Ms. Priyanka B. Chavan, AGP, for the Respondent / State in WP/13105/2026.

Mr. O. A. Chandurkar, Addl.G.P. a/w. Ms. Vaishali S. Nimbalkar, AGP, for the Respondent / State in WP/13104/2026.

Mr. O. A. Chandurkar, Addl.G.P. a/w. Mr. P. G. Sawant, AGP, for the Respondent / State in WP/13103/2026.

CORAM : R. I. CHAGLA AND
FIRDOSH P. POONIWALLA, JJ.

DATED : 7th OCTOBER, 2026

P.C.:-

1. Heard Mr. Bhave, learned counsel for the Petitioner, and Mr. Chandurkar, learned Addl. G.P. for the Respondent – State.

2. This Writ Petition raises the same challenge which had been raised in Writ Petition No. 5476 of 2026, along with companion Petitions, namely challenging the Government Resolutions dated 1st April 2026 and 2nd April 2026 by which the Respondent–State had disqualified the Petitioner–Primary School from receiving grant-in-aid from the State of Maharashtra, in view of this school failing to satisfy norms of assessments and directed the school to submit an application under the provisions of the Maharashtra Self-Finance Schools (Establishment and Regulation) Act, 2012 ("Self Finance Act") on or before 30th April 2026. Further, as per the said Government Resolutions, if the management/school failed to submit the application on or before 30th April 2026, its recognition would stand cancelled automatically and the students in such school would be absorbed into nearby grant-in-aid schools or other schools run by local authorities.

3. Writ Petition No.5476 of 2026, along with companion Writ Petitions, have been disposed of by Order dated 24th August 2026. This Court has followed the judgment of this Court (Circuit Bench at Kolhapur) dated 29th April, 2026 and which in turn followed the Order passed by the Aurangabad Bench of this Court. These Petitions have been allowed by holding that the said Government Resolutions are not applicable to the Petitioner in that the action taken thereunder for closing down the aforesaid Petitioners–Schools was without granting them an opportunity of hearing and thus in violation of the principles of natural justice. The Respondent–State was accordingly directed to delete the names of Petitioners–Schools from the list of schools which was published along with the said Government Resolutions. In the said Order dated 24th August 2026 passed by this Court, the statement made on behalf of the Respondent–State, viz. that the Respondent–State will grant hearing to the Petitioners–Schools, and the hearing will be fixed shortly, was accepted.

4. We accordingly follow the aforesaid decisions, and declare that the action of closing down the Petitioner-School without granting an opportunity of hearing is in violation of the principles of natural justice. These Government Resolutions are accordingly not applicable to the present Petitioner.

5. The Respondent State is directed to delete the name of the Petitioner School from the list of the schools which was published along

with the Government Resolution dated 2nd April 2026.

6. The Respondent–State is directed to grant a hearing to the Petitioner–School and issue a notice to appear on the scheduled date fixed for the hearing. The decision taken by the Respondent–State in respect of the present Petitioner-School shall be communicated within a period of one week from taking of the decision, which decision shall be taken in accordance with law.

7. Needless to mention that the Petitioner–School would continue the school and no action as contemplated under the Government Resolution dated 2nd April, 2026 shall be initiated against it.

8. The present Writ Petition is accordingly disposed of on these terms. There shall be no order as to costs.

[FIRDOSH P. POONIWALLA, J.] [R.I. CHAGLA, J.]