



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 100 OF 2025

Janabai Alpasankhyank Shikshan Sanstha, Buldhana and another
.Vs.
State of Maharashtra and others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr Anand Parchure, Advocate for the petitioners
Mr I. J. Damle, AGP for respondent Nos. 1 to 3/State
Mr B. N. Jaipurkar, Advocate for respondent No. 4

CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.
DATED : JANUARY 05, 2026.

Heard.

2. In the present matter, the challenge is raised to the letter/communication issued by respondent No.4- Education Officer (Primary), Zilla Parishad, Buldhana dated 05.12.2024 denying permission to continue recognition of petitioner No.2- primary school.

3. The facts of the present case are as under:

The petitioner No.1 is the Education Society who was running the petitioner No. 2 School. On 01.06.2013, the respondent No. 4- Education Officer (Primary), Zilla Parishad, Buldhana withdrew the recognition of the petitioner No.2-School for the academic session 2013-14. In the appeal, the said order was maintained by the respondent No.3.

4. The respondent No.1 also confirmed the withdrawal of recognition of the petitioner No. 2 school.

5. However, this Court in Writ Petition No. 7462 of 2019 quashed and set aside the order dated 23.07.2019 passed by the respondent No.1-State and directed to decide the appeal on merit by granting opportunity of hearing to the petitioners.

6. Thereafter, the hearing was conducted and the recognition of the petitioner No. 2-school was reinstated for the period from 2023-24. Such recognition was granted vide order dated 04.05.2023 and it was subject to further inspection and satisfaction of conditions as stipulated in the said order. Clause 3 of the said order further states that after the inspection and on satisfaction of compliance of all the conditions the continuation of recognition will be considered.

7. Accordingly, the inspection was carried out and on 26.06.2024 reports were submitted. Thereafter, abruptly the impugned letter dated 05.12.2024 was issued by the respondent No.4-Education Officer (Primary), Zilla Parishad, Buldhana discontinuing the recognition granted on 04.05.2023. Hence, this petition.

8. Admittedly, the petitioner No. 2 was granted recognition vide order dated 04.05.2023 for academic year 2023-24. No doubt, it was subject to satisfaction of the conditions mentioned in the said order. It is further clear from the said order that on satisfaction and fulfilment of all

the conditions, the authorities were supposed to consider the case of the petitioner No.2 for continuation of recognition.

9. It has come on the record that in view of the said order the inspection was carried out on 26.06.2024. However, without assigning any reason in the impugned letter dated 05.12.2024 the permission to continue recognition was denied to the petitioner. While doing so it is not the ground that the petitioner failed to comply with the conditions as mentioned in the order dated 04.05.2023. It is further evident that no notice was issued to the petitioners pointing out the reasons for not continuing the recognition to run the petitioner No. 2 school.

10. In the circumstances, the impugned letter/communication dated 03.12.2024 issued by the respondent No.3-Deputy Director of Education (Primary) and the subsequent letter/communication dated 05.12.2024 issued by respondent No.4- Education Officer (Primary) to the petitioners, are hereby quashed and set aside with direction to the respondent No.3-Deputy Director of Education (Primary) to consider the report dated 26.06.2024.

11. We remand the matter back to the Deputy Director of Education (Primary) to take decision afresh after considering the inspection report dated 26.06.2024 and after hearing the petitioners.

12. It is made clear that before the petitioners is called for hearing, the petitioners shall be informed the

adverse grounds against the petitioners which according to the Deputy Director of Education (Primary) are the grounds for denial of such recognition. If such communication is received the petitioners are at liberty to submit its say/explanation to such show cause notice.

13. The Deputy Director of Education shall complete the process within ten weeks from the date of furnishing of this order.

14. The learned counsel for petitioners undertakes to furnish the copy of this order to the Deputy Director of Education within two weeks from today.

15. The fresh decision taken by the Deputy Director of Education, after hearing the petitioners and considering the inspection report, shall be communicated to the petitioners within two weeks from the date of such decision.

16. Accordingly, the writ petition is **disposed of**, in the above referred terms. No order as to costs.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]