



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

WRIT PETITION NO.6230 OF 2025

Female Education Society, Thr. Its Acting President, Vijay Ganpatrao
 Mogre And Anr.

Vs.

Joint Charity Commissioner, Nagpur and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Apurv De, Advocate for the Petitioner.

Ms. P.T. Joshi, AGP for the Respondent Nos.1 to 3/State.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 21st APRIL, 2026

1. Heard learned counsel for the petitioner as well as learned AGP for respondent Nos.1 to 3/State.
2. By this petition, the petitioners have challenged the order dated 25.03.2025 passed by the Joint Charity Commissioner-I, Nagpur below an application at Exh.36 in Appeal No.1013/2019. The petitioners had filed the said appeal challenging the order dated 28.11.2019 passed by the Assistant Charity Commissioner, Chandrapur, against the rejection of change report bearing No.1/2008.
3. Learned counsel for the petitioners submits that during the pendency of the appeal, the petitioners had filed a separate application seeking permission to appoint Principal/Professors for FES Girls College, which is run by the petitioner-Society, by pointing out that both the posts were vacant and there was a need to fill-up the vacant posts. However, by order dated 25.03.2025, the

application came to be rejected. The reasons for rejection as mentioned in the impugned order is that the decision to make appointments by the *de-facto* Executive Committee would be against the policy and would cause hardship, resulting into further litigations.

4. Learned counsel for the petitioners invited my attention to letter dated 01.09.2025 issued by the Assistant Vice Chancellor of Gondwana University, Gadchiroli, during pendency of the petition calling upon the petitioners to fill-up the said vacant posts which mentions consequence under Section 120 of the Maharashtra Public Universities Act, 2016 about cancellation of affiliation, in case of non-compliance.

5. In this background, it is now pointed out that the Joint Director of Higher Education, Nagpur has issued letter dated 24.03.2026 thereby, granting permission to fill-up six vacant posts of Assistant Professor. In this regard, the said Authority has again issued a letter dated 31.03.2026, mentioning the details of the six vacant posts.

6. In view of this development, it is pointed out that petitioners are entitled for grant of permission to appoint the Principal/Professors as sought vide application at Exh.36.

7. Learned AGP for respondents does not dispute the communications issued by the Joint Director of Higher Education, Nagpur and submits that the vacant posts, as mentioned in the said communications, are required to be filled in by undertaking due recruitment process.

8. As such, the reasons for rejecting the application as mentioned in the impugned order dated 25.03.2025 do not survive and the petitioners are therefore, entitled for grant of permission to

make appointments for the posts of Principal/Professors against the vacant posts as mentioned in the communications issued by the Joint Director. Hence, I pass the following Order :-

ORDER

(i) Order dated 25.03.2025 passed by the Joint Charity Commissioner No.1, Nagpur which is impugned herein, is quashed and set-aside.

(ii) The application filed by the petitioner at Exh.36 in appeal No.1013/2019 before the Joint Charity Commissioner, Nagpur, is **allowed**.

(iii) The writ petition is **disposed of**.

(PRAFULLA S. KHUBALKAR, J.)

Privel