

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1690 OF 2023

Ashok Baban Kolte ... Petitioner
V/s.
The State of Maharashtra through
School Education and Sports Deptt. & Ors. ... Respondents

with

WRIT PETITION NO. 1691 OF 2023

Ajit Bansilal Barve ... Petitioner
V/s.
The State of Maharashtra through
School Education and Sports Deptt. & Ors. ... Respondents

with

WRIT PETITION NO. 1692 OF 2023

Amol Bhimrao Janrao ... Petitioner
V/s.
The State of Maharashtra through
School Education and Sports Deptt. & Ors. ... Respondents

Mr. Suresh Pakale, Senior Advocate with Mr. Nilesh Desai i/b.
Padmaja Malgaonkar for the Petitioners in both Petitions
Mr. Milind Deshmukh for the Respondent No.5
Mr. S.B. Kalel, AGP for the Respondent – State in WP 1690/23
Ms. Pooja Joshi Deshpande, AGP for the Respondent – State in WP
1691/23 and 1692/23

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 29 APRIL 2024

P.C. :-

It is the contention of the Petitioner that the Deputy Director of Education could not have taken review of the earlier approvals granted and such review is only on exceptional grounds such as fraud, misrepresentation and collusion. After the matter was closed for orders, it is noticed that certain factual clarification is required from the State.

2. A show cause notice in all these Petitions is also issued to the erstwhile Education Officer who is named in the show cause notice and subject of the show cause notice is regarding the orders passed by this Education Officer. Therefore, though the reply affidavit has been filed, it does not explain as to why a show cause notice is issued to the Education Officer and whether the orders passed by this Education Officer have been taken in review because of collusion. The State will have to file reply as to whether there was any allegation of collusion between the Respondent – Management and the Education Officer.

3. Stand over to **8 May 2024**.

M.M. SATHAYE, J.

NITIN JAMDAR, J.