

**FARAD CONTINUATION SHEET NO.**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

WRIT PETITION NO.1860 OF 2009 WITH  
WRIT PETITION NO.4000 OF 2008 WITH  
WRIT PETITION NO.4001 OF 2008 WITH  
WRIT PETITION NO.4002 OF 2008 WITH  
WRIT PETITION NO.4003 OF 2008 WITH  
WRIT PETITION NO.4004 OF 2008

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders
	<p style="text-align: center;"><b>CORAM: A.M. KHANWILKAR &amp; S.S. SHINDE, JJ.</b></p> <p style="text-align: center;"><b>DATE : 16TH FEBRUARY, 2010.</b></p> <p>1. Heard counsel for the Petitioners. The principal argument is that after the decision of the Apex Court in the case of <b>T.M.A. Pai Foundation</b>, it is not open to the Authorities to insist for compliance of the provisions of statutory rules or Government Resolutions issued by the Authorities from time to time insofar as</p>

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	<p>private unaided minority education institutions are concerned. By way of illustration, our attention is invited to some of the provisions in the Maharashtra Employees of Private Schools (Condition of Services) Rules, 1981, the Secondary Schools Code and the show cause notice dated 9th January, 2009, which, according to the Petitioners, would travel beyond the scope of interference permitted in the light of exposition of the Apex Court in the above mentioned Judgment.</p> <p>2. The learned A.G.P. in all fairness submits that the matter will have to be re-examined and appropriate decision will have to be taken. For that reason three week's adjournment is prayed. By way of indulgence, hearing of these Petitions is deferred to 17th March, 2010. To be</p>

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Court's or Judge's Orders

listed under the caption "Directions".

3. It is made clear that if the statement made on behalf of the State is unacceptable to the Petitioners in whole or in part, only in that situation the matters would proceed for final hearing on such date as will be notified. If the State so desires, is free to file affidavit placing on record its stand point on the issue on hand, on or before 8th March, 2010. It is further made clear that no further time for filing of the affidavit will be granted to the Respondent State. Interim arrangement to continue till the next date of hearing.

**[S.S. SHINDE, J.]**

**[A.M. KHANWILKAR, J.]**