



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 4750 OF 2026

ISHWAR SHIKSHAN PRASAR MANDAL JEEVAN SHIKSHAN SECONDARY
AND HIGHER SECONDARY SHOOOL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

AND 921 WRIT PETITION NO. 5151 OF 2026
AND 922 WRIT PETITION NO. 5152 OF 2026
AND 925 WRIT PETITION NO. 5156 OF 2026
AND 928 WRIT PETITION NO. 5163 OF 2026
AND 929 WRIT PETITION NO. 5164 OF 2026
AND 936 WRIT PETITION NO. 5171 OF 2026
AND 941 WRIT PETITION NO. 5180 OF 2026
AND 948 WRIT PETITION NO. 5189 OF 2026
AND 950 WRIT PETITION NO. 5193 OF 2026
AND 951 WRIT PETITION NO. 5194 OF 2026
AND 952 WRIT PETITION NO. 5207 OF 2026
AND 953 WRIT PETITION NO. 5214 OF 2026
AND 954 WRIT PETITION NO. 5220 OF 2026
AND 955 WRIT PETITION NO. 5221 OF 2026
AND 957 WRIT PETITION NO. 5223 OF 2026
AND 958 WRIT PETITION NO. 5224 OF 2026
AND 960 WRIT PETITION NO. 5226 OF 2026
AND 961 WRIT PETITION NO. 5227 OF 2026
AND 962 WRIT PETITION NO. 5228 OF 2026
AND 963 WRIT PETITION NO. 5230 OF 2026

AND 964 WRIT PETITION NO. 5231 OF 2026
AND 965 WRIT PETITION NO. 5232 OF 2026
AND 966 WRIT PETITION NO. 5235 OF 2026
AND 967 WRIT PETITION NO. 5236 OF 2026
AND 968 WRIT PETITION NO. 5237 OF 2026
AND 969 WRIT PETITION NO. 5238 OF 2026
AND 970 WRIT PETITION NO. 5239 OF 2026
AND 971 WRIT PETITION NO. 5240 OF 2026
AND 973 WRIT PETITION NO. 5242 OF 2026
AND 974 WRIT PETITION NO. 5243 OF 2026
AND 975 WRIT PETITION NO. 5247 OF 2026
AND 976 WRIT PETITION NO. 5248 OF 2026
AND 977 WRIT PETITION NO. 5255 OF 2026
AND 978 WRIT PETITION NO. 5257 OF 2026
AND 979 WRIT PETITION NO. 5258 OF 2026
AND 980 WRIT PETITION NO. 5259 OF 2026
AND 981 WRIT PETITION NO. 5260 OF 2026
AND 982 WRIT PETITION NO. 5261 OF 2026
AND 983 WRIT PETITION NO. 5262 OF 2026
AND 984 WRIT PETITION NO. 5263 OF 2026
AND 985 WRIT PETITION NO. 5265 OF 2026

...

Mr. Amol Chate h/f Mr. Shrimant Mundhe, Mr. T.Y. Sayyed, Mr. V.S. Panpatte, Mr. A.R. Gaikwad, Mr. A.N. Nagargoje, Mr. V.H. Dighe, Mr. K.D. Khade, Mr. Umakant Awate h/f Talekar and Associates, Mr. P.B. Gapat, Mr. V.B. Jadhav, Mr. P.D. Bachate and Mr. C.K. Shinde, Advocates for petitioners in respective petitions

Mr. A.B. Girase, Mr. V.M. Kagne, Mr. S.K. Tambe, Mr. R.S. Wani, Miss. Neha B. Kamble, Mr. S.B. Pulkundwar, Mr. A.M. Phule, GP / AGPs for respondents/State in respective petitions

...

CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.

DATE : 07th MAY, 2026

ORDER :

. Issue notice to respondents in all matters. Learned AGPs waive notice for respondents/State in respective petitions. Notice of other respondents is made returnable on **18.06.2026**.

2 All the learned Advocates for respective petitioners rely on the interim order passed by this Court on 30.04.2026 in Writ Petition No.4695 of 2026 with companion matters and pray for the interim protection, however, taking into consideration the wordings in the impugned Government Resolution dated 01.04.2026 in respect of Primary Schools and another Government Resolution dated 02.04.2026 in respect of Higher Secondary School, which are under challenge, not only in this petition but also in other petitions, we state that the point as regards the effect of the Government

Resolutions dated 01.04.2026 and 02.04.2026 would be subject to the outcome of the petitions.

3 All the learned Advocates for petitioners submit that in view of said Government Resolutions, the students would be shifted to the nearby other schools and then the petitions would become infructuous.

4 We had thereafter called upon the learned AGPs to take instructions in respect of shifting of students. Thereupon they are placing the communication received by them during the course of the day from the Desk Officer, Education and Sports Department, Mantralaya, Mumbai. It is taken on record by marking as Exh. 'X'. The relevant portion is paragraph No.5, which reads thus :

“ 5. त्यानुसार शासनाने, संदर्भाधीन कं.1, 2 येथील शासन निर्णयान्वये, राज्य शासनाद्वारे वेळोवेळी मुल्यांकन होवूनही वारंवार अपात्र ठरलेल्या प्राथमिक, माध्यमिक व उच्च माध्यमिक शाळा / कनिष्ठ महाविद्यालये व तुकड्यांना वेतन अनुदानाकरीता कायमस्वरूपी अपात्र घोषित केले आहे. व त्यानुसार, उपरोक्त शासन निर्णयांत नमूद शाळांना स्वयंअर्थसहाय्यित अधिनियमातील नरतुदीनुसार शासन मान्यतेसाठी अर्ज करण्याकरीता दिनांक 30.04.2026 पावेतो अखेरची मुदत देण्यात आली आहे. सदर दिनांकापूर्वी सदर शाळांनी स्वयंअर्थसहाय्यित तत्वावर मान्यतेसाठी शिक्षण संचालक (माध्यमिक व उच्च माध्यमिक), महाराष्ट्र राज्य, पुणे यांचेकडे अर्ज दाखल करणे अनिवार्य होते. तसेच विहित मुदतीत अर्ज दाखल करणार नाहीत, अशा शाळांची मान्यता आपोआप रद्द होईल. या शाळांमधील विद्यार्थ्यांचे

समायोजन सोयीनुसार नजीकच्या स्थानिक / नागरी स्वराज्य संस्था / खाजगी अनुदानित माध्यमिक शाळांमध्ये करणेबाबत संबंधित शिक्षणाधिकारी (माध्यमिक) यांनी दिनांक 01.05.2026 ते दिनांक 31.05.2026 या कालावधीत पूर्ण करण्याचे निर्देश दिले आहेत.”

5 Here, it is to be noted that the application was required to be given by the concerned schools under the self finance as per the said Government Resolutions by the end of 30.04.2026 and it was stated that if such application is not filed, then the recognition to the school would stand automatically cancelled. Now, at this stage, as regards the present petitions are concerned, we are not going into the facts as to whether each one of the petitioners had made any such application or not. Further, certainly in view of our earlier order, we had noted that there is substance to be considered, but then if the Government Resolutions have taken effect, then it has to be interpreted and, therefore, we say that it would be subject to the outcome of the petitions.

6 Now, as regards the shifting of students is concerned, it appears that the said exercise would be taken between 01.05.2026 to 31.05.2026 and, therefore, by this interim order, we grant *status quo* in respect of transfer of students, if the action of shifting has not yet been started in respect of the present petitions / institutions / schools. However, at the same

time, we are reiterating that we have not stated anything as regards the automatic de-recognition as is stated or contemplated under the Government Resolution.

(AJIT B. KADETHANKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

agd