



N THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2486 OF 2026

Late Chandibai Shikshan Sanstha, thr. its President

Vs.

State of Maharashtra, through its Secretary & Ors.

*Office Notes, Office Memoranda of Coram,
Appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. P.B. Patil, Advocate with Mr. V.B. Rathi, Advocate for the Petitioner.
Mr. N.S. Rao, AGP for Respondent Nos.1 to 3/State.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 26.03.2026

Heard Mr. P.B. Patil, learned counsel for the petitioner.

2. The contention is that the petitioner-management was granted permission by the Government of Maharashtra on 1st July, 1994, to establish a school catering to the needs of specially abled persons having locomotor disability. In pursuance of the said permission dated 1st July, 1994, the petitioner-management, after investing a substantial amount in infrastructure, established a special school for persons with locomotor disability under the name *Late Thavraji Naik Nivasi Apang Vidyalaya*, Dhanki, Tahsil Umarkhed, District Yavatmal.

3. Mr. P.B. Patil, learned counsel for the petitioner, submits that for the last 31 years, the petitioner-management has been running the said school and imparting education from 1st to 4th standard. The petitioner is aggrieved by the communication dated 25th February, 2026, issued by respondent No.1–Secretary, directing that the students of the special school

run by the petitioner-management shall be transferred to general schools from the academic session 2026–27. The said communication is at record page No. 25 (Annexure-C).

4. A perusal of the aforesaid communication, particularly paragraph 3 thereof, reveals that it has been issued in compliance with the decision taken in a Committee meeting, which provides that, as a long-term strategy, students from such special schools shall be accommodated in and continue their education in general schools.

5. Mr. P.B. Patil, learned counsel for the petitioner, has invited our attention to the minutes of the said meeting referred to in the communication dated 25th February, 2026. The said minutes reveal that such decision was taken by the Committee with regard to students studying from 8th to 12th standard, whereas the petitioner-management is running a special school imparting education to students from 1st to 4th standard. Even otherwise, such decision does not appear to be applicable to the case of the petitioner.

6. Apart from the aforesaid, the substantial investment made by the petitioner-management in developing infrastructure for running the said school for the last 31 years is another aspect that ought to have been considered by respondent No.1 before implementing such policy.

7. We appreciate the efforts of the Government of Maharashtra to bring specially abled children into the

mainstream. It appears that the State is undertaking such measures on an experimental basis. Therefore, we are of the view that the Government may also consider converting such schools into regular/general schools, so that students have the choice either to continue in the same school or to shift to other general schools.

8. In view of the above, issue notice to the respondents, returnable on 9th April, 2026.

9. Mr. N.S. Rao, learned AGP, waives service of notice on behalf of respondent Nos.1 to 3.

10. Office objections, if any, shall be removed on or before next date.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Vijaykumar