

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5093 OF 2017

Nav Maharashtra Shikshan Prasarak Mandal ... Petitioner

**Versus**

The Education Officer (Primary), Solapur & ... Respondents  
Ors.

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*Mr. I. M. Khairdi for the Petitioner.*  
*Ms. Divya A. Pawar for the Respondent No.1.*  
*Mr. R.P. Kadam, A.G.P. for the Respondent-State.*

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**Coram :** ANIL L. PANSARE &  
RANJITSINHA RAJA BHONSALE, JJ.

**Date :** 29<sup>th</sup> April 2026.

**P. C. :**

**1.** On previous date i.e. 21<sup>st</sup> April 2026 following order was passed :

*"1. Heard.*

*2. Learned counsel for the petitioner submits that upon a complaint lodged before the Lokayukta, a recommendation was made by the Lokayukta under Section 12(1) of the Maharashtra Lokayukta and Upa-Lokayuktas Act, 1971, in the following terms:*

*"(1) The Education Officer (Primary) shall prepare a*

*proposal for being submitted to the Principal Secretary, School Education Department for closure of the school at the end of academic year 2016-17. The proposal shall be submitted within 30 days from the date of receipt of these recommendations.*

*(2) The said proposal shall be considered by the Principal Secretary of School Education Department and he shall pass necessary suitable orders within a period of 60 days from the date of receipt of the proposal from the Education Officer.*

*(3) The Principal Secretary, School Education Department shall submit his report to this office within 15 days from passing the final orders in the matter."*

- 3. As could be seen, the Education Officer (Primary) was directed to prepare a proposal for being submitted to the Principal Secretary, School Education Department, for closure of the school. The said proposal was to be considered by the Principal Secretary for passing necessary orders.*
- 4. The argument is that the Principal Secretary has not passed any order, but respondent No.1-Education Officer (Primary) has taken up the entire exercise and, vide the impugned order, has cancelled the recommendation of the school run by the petitioner-trust.*
- 5. Learned counsel appearing for respondent No.1 seeks time to take instructions. Learned counsel for respondent No.1, as also the*

*learned AGP, shall place before us a copy of the report of the Principal Secretary, which shall include the decision taken by him as recommended by the Lokayukta.*

6. *Stand over to 29<sup>th</sup> April 2026.*

7. *Ad-interim relief granted earlier to continue till then.”*

2. Learned A.G.P submits that the officials attached to the Principal Secretary are searching the file. Thus, it appears that the file under question is not traceable. It only reflects the poor maintenance of files by the Principal Secretary.

3. Nonetheless we grant a week's time, but as a last chance.

4. If the copy of report of Principal Secretary as directed in paragraph No.5 of order dated 21<sup>st</sup> April 2026 is not filed, the Principal Secretary shall remain present before the Court through V.C. to assist the Court for effective disposal of the Petition.

5. Stand over to 6<sup>th</sup> May 2026.

[ RANJITSINHA RAJA BHONSALE, J. ]

[ ANIL L. PANSARE, J. ]

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