



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4140 OF 2026

Namdevrao Mohol Vidya and Krida
Prathithan, Pune and Others ... Petitioners
Versus
The State of Maharashtra and Others ... Respondents

VISHAL
SUBHASH
PAREKAR

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VISHAL SUBHASH
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Date: 2026.04.06
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Dr. Uday Warunjikar a/w. Mr. Sumit Kate, Ms. Isha Hajare i/b. Ms. Sakshi Inamdar, Advocate for the Petitioners.
Mr. P.P. Kakade a/w. Mr. V.G. Badgular, AGPs for the State.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.**

DATE : 2nd APRIL, 2026

P.C:

1. Issue notice to the Respondents returnable on **17th June, 2026.**

The learned AGP waives service of notice on behalf of Respondent Nos. 1 to 3.

2. Let affidavit in reply be filed on or before 10th June, 2026.

Since we are granting a longer duration for filing affidavit in reply, we will not entertain any request for extension of time by any of the Respondents.

3. We have perused the impugned notice of the Zilla Parishad.

Dr. Warunjikar, learned Advocate for the Petitioners has informed us that in some other Zilla Parishads, amenable to the jurisdiction of this Court, notices have been issued by C.E.O. directing absorption of differently abled students from a well equipped special school, into general schools, purportedly on the ground that the State Government is contemplating introduction of a policy of universal accessibility to the specially abled students in order to bring them into the main stream and mingle with the normal schools.

4. We find that such orders, without a proper road-map and implementation of a proper policy, is likely to be counter-productive. So also, if parents desire that their differently abled child should commence education in a special school before thinking of bringing the child in the main stream in normal schools, there cannot be a compulsion of uprooting students from such special schools and transplanting them/ relocating them in general schools. The will and desire of the biological/ natural guardians also has to be taken into account. As such, the impugned notice stands stayed until further orders.

5. Needless to state, that this ad-interim order would not preclude

the State Government from proceeding with its study on Maharashtra State Policy for Persons with Disability, 2018.

6. All office objections to be removed on or before 22nd April, 2026 failing which, the Registry shall dismiss the Petition on 23rd April, 2026 without reference to the Court.

7. In so far as the continuation of the renewal of recognition of the Petitioner No. 2 School operated by Petitioner No. 1 Institution, the learned AGP is instructed to state that an adverse order would not be passed against the Petitioner Institution. He further submits that considering the future of the students, adverse orders against the Institutions which are nearing the end of the academic year would not be passed and the renewal order would be issued shortly. We would expect the renewal order to be passed and copy be served upon the Petitioners on or before 15th April, 2026.

8. We further record that if there are any such similar Institutions in the State of Maharashtra whose licenses have come to and end by 31st March, 2026 and whose applications for renewal are pending, all such

orders on renewal applications, where the students are already admitted and are taking education, shall be passed on or before 15th April, 2026.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)