

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

WRIT PETITION NO. 2052 OF 2015

Fulabai Somani Bahuuddeshiya Seva
Bhavi Sanstha, Jalna .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

**WITH
WRIT PETITION NO. 2054 OF 2015**

Fulabai Somani Bahuuddeshiya Seva
Bhavi Sanstha, Jalna .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Satish M. Godsay, Advocate for the Petitioner in both matters.

Shri D. B. Bhange, A.G.P. for Respondent Nos. 1 and 2 in both matters.

Shri S. S. Tope, Advocate for the Respondent No. 3 in both matters.

**CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, JJ.**

DATE : 10TH MARCH, 2015.

PER COURT :-

. Mr. Godsay, the learned counsel submits that, the

petitioners have submitted proposals for opening primary schools in Marathi and English medium with all the documentary proof of the infrastructure and other requirements. The petitioners are not informed about the decision if any taken. Even Rs. 5,000/- each have been deposited by petitioners towards the scrutiny and inspection fees and the same has been utilized for the said purpose by the respondent No. 3. The said proposals were for the academic year 2013-2014 and for academic year 2015-2016 fresh fees may not be insisted upon.

2. Mr. Tope, the learned counsel for the Education Officer submits that, the Education Officer had forwarded the said proposals of petitioners for opening primary schools in Marathi and English medium to the respondent No. 2 with negative recommendation in view of certain deficiencies. The petitioners now can apply afresh to the respondent No. 3 and the respondent No. 3 would consider the said proposals on the amount deposited with the earlier proposals.

3. Mr. Godsay, the learned counsel submits that, the petitioners at no material point were given notice of alleged deficiencies. The petitioners had submitted all the documents including the lease deed of land, etc.

4. Now the proposals which are required to be considered

would be for the year 2015-2016. The petitioners can file fresh proposals for the academic year 2015-2016 for starting Marathi and English medium primary school. In case fresh proposals are filed by petitioners, the respondent No. 3 shall not insist for fresh deposit of fees and shall process the same on the basis of the deposit given at the time of filing proposals of the year 2013-2014. The said proposals be considered expeditiously on their own merits. The writ petitions are disposed of. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 15