

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3802 OF 2014.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.S.Kazi, advocate for the Petitioner.
Mr.S.G.Sangle, Asstt. Govt. Pleader for the State.

**CORAM : S.V.GANGAPURWALA &
V.K.JADHAV, JJ.**
Date : 05.08.2015.

PER COURT :

1. Heard.
2. Mr.Kazi, learned counsel for the petitioner states that inspite of recommendation of the National Commission for Minority Educational Institutions, the State Government has not considered the proposal of the petitioner to start Urdu medium Primary School on no grant basis. According to the learned counsel, the same is violative of Article 30(1) of the Constitution of India.
3. Mr.Sangle, learned Asstt. Govt. Pleader states that the policy decision has been taken by the Government of not granting permission to Urdu medium Primary Schools except the one run by the local bodies. However, if the petitioner is interested to start Urdu medium Primary School then the petitioner may submit

proposal as per provisions of Maharashtra Self Financed Schools (Establishment and Regulations) Act, 2012

4. We have considered the submissions.

5. The proposal is submitted by the petitioner in the year 2005. The affidavit is filed by State through the office of Deputy Director of Education stating that the State has taken a policy decision not to grant permission to the private institutions to run Urdu medium Primary School. The affidavit-in-reply further states that after proposal is submitted under the provisions of Maharashtra Self Financed Schools (Establishment and Regulations) Act, 2012 then the same would be considered in accordance with law.

6. In light of that, we pass the following order :

a) The petitioner may submit the proposal to start Urdu medium Primary School under the Maharashtra Self Financed Schools (Establishment and Regulations) Act. On receipt of the said proposal, the Respondents shall take decision upon it in accordance with law and policy expeditiously, preferably within six (6) months.

b) The Writ Petition is accordingly disposed of. No costs.

(V . K . JADHAV , J .)

(S . V . GANGAPURWALA , J .)

Dt.05.08.2015.
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