

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 6020 OF 2015**

LATE MADHUKARRAO DESHPANDE SEVA BHAVI
EDUCATION SOCIETY THROUGH THE PRESIDENT PUR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Gandhi Amol S.
AGP for Respondent/State : Mr. A.V. Deshmukh
Advocate for Respondent no.4 : Mr. Patil Bankar Deelip N.

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CORAM : S.S. SHINDE & A.M. BADAR, JJ.**Dated: October 27, 2015**

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PER COURT :-

Heard.

2. This Petition has been filed seeking directions to the respondents to consider the proposal of the petitioner submitted on 10.06.2010. We do not countenance the delay in filing this petition. The learned AGP submits that the policy to consider the proposals for opening primary school has undergone change.

3. In that view of the matter, we are not inclined to entertain this petition. The petition stands rejected.

4. However, we make it clear that rejection of this petition cannot be construed as an impediment in case the

petitioner wishes to file fresh proposal in the light of new policy, if so advised.

5. However, in the peculiar facts of this case, we restrain the respondents from taking any adverse action against the petitioner till the end of academic year i.e. April, 2016. However, merely because this protection is granted to the petitioner cannot be construed that, the action of the petitioner to run the school without permission of the respondents was justified.

(A.M. BADAR, J.)

(S.S. SHINDE, J.)

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