

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10427 OF 2012

TALAT SHIKSHAN MANDAL, AURANGABAD THR SECRETARY
VERSUS
THE STATE OF MAH AND ORS

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Advocate for Petitioners : Mr.G N Kulkarni
AGP for Respondents State: Mrs.R.K.Ladda
Adv.Dilip Bankar for R.3.
Adv.Mr. Hon Ashwin V. For R/4

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**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.**
DATED : 5th MARCH, 2015

P.C. :-

Mr.Kulkarni, learned counsel for petitioner states that the petitioner is running a Urdu School at Kazipura, Gangapur. The respondent no.4 who is running the school near bus station, Gangapur, has started construction near the premises of the petitioner and the respondent cannot be allowed to run the school near the premises of the petitioner as the same would result in unhealthy competition. The learned counsel submits that representations are given to the Director of Education, Primary and various other authorities, but no cognizance has been taken. We have heard learned counsel for respondent also.

2] It is for the Director of Education to look into the matter and consider whether school is being run on the place where permission is granted or has been shifted to some other place, whether the said shifting is as per the Rules.

3] The petitioner has also approached the Director of Education (Primary) by filing representation. In light of that, we pass following order :

a] The Director of Education (Primary) i.e. respondent no.2 shall consider the representation filed by the petitioner, if pending with him, on its own merits in accordance with law and shall enquire about the said aspect after hearing all concerned, expeditiously within six months.

4] Writ Petition is accordingly disposed of. No costs.

V.L.ACHLIYA, J.

S. V. GANGAPURWALA, J.

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