

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 6954 OF 2015**

OM SAI PRERNA BAHUDDHESHIYA SAMAJIK SANSTHA
THROUGH ITS PRESIDENT SHRIDHAR PRABHA
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Patil Vinod Prakash
AGP for Respondent/State : Mr. V.H. Dighe
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 08.06.2010. 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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