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IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 65 OF 2015

Nath Pai Memorial Education Society,
a Society registered under the Societies
Registration Act, 1860 having
its registered office at 115,
Ramchandra Building, Mapusa Goa,
represented by duly authorized Secretary
Shri Vinayak V. Naik, major,
married, r/o Duler, Mapusa Goa. ... Petitioner

V e r s u s

1. State of Goa,
Through the Chief Secretary,
having office at Secretariat,
Porvorim Goa.
2. Director of Education,
Government of Goa,
Directorate of Education,
Porvorim, Bardez Goa.
3. Vaddem Nagar Shikshan Seva Mandal,
New Vaddem, Vasco-da-Gama, Goa
by its President
Shri Rajendra Arlekar. ... Respondents

Mr. J. J. Mulgaonkar, Advocate for the petitioner.

Mr. V. Rodrigues, Additional Government Advocate for respondent
nos. 1 and 2.

**Coram:- F. M. REIS &
K. L. WADANE, JJ**

Date :- 25th March, 2015

ORAL JUDGMENT (Per F. M. Reis, J)

Heard Mr. J. Mulgaonkar, learned counsel appearing for

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the petitioner and Mr. V. Rodrigues, learned Addl. Government Advocate appearing for the respondent nos. 1 and 2.

2. Rule. Heard forthwith with the consent of the learned counsel.

3. The learned Addl. Government Advocate waives service on behalf of the respondent nos. 1 and 2.

4. Upon hearing the learned counsel appearing for the respective parties, the short point for consideration is whether the communication sent by the respondent no.2 vide letter dated 13.04.2012 to the petitioner rejecting the permission to open a Higher Secondary School at Nagzar, Varkhand, Pernem Goa, is justified. On bare perusal of the said communication, we find that there are no reasons given to reject the application filed by the petitioner.

5. Mr. Rodrigues, learned Addl. Government Advocate appearing for respondent nos. 1 and 2 fairly accepts that in such circumstances, the respondents shall re-examine the application filed by the petitioner to open a Higher Secondary School at Nagzar, Varkhand, Pernem Goa afresh in accordance with law.

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6. In view of the above, Rule is made absolute in terms of the prayer clause (a). The petition stands disposed of accordingly with no order as to costs.

K. L. WADANE, J

F. M. REIS, J

at*