

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4260/2015

(NAVINYA MAHILA BAHUUDDESHIYA TANTRIK SHIKSHAN SANSTHA, NAGPUR **VERSUS** THE
STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri C.N. Deshpande, counsel for the petitioner.
Shri N.S. Khubalkar, A.G.P. for the R-1, 2 & 4.

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : AUGUST 25, 2015.

By this petition, the petitioner-Society seeks a direction to the respondent no.1-State of Maharashtra to grant permission to the petitioner to run the English Medium Primary School, as per its application dated 09.07.2010.

It is the case of the petitioner that though the case of the petitioner-Society was recommended to the State Government, the State Government has not decided the application of the petitioner till date. The petitioner has sought a direction to the respondent no.1 to decide the application dated 09.07.2010 and grant permission to the petitioner to start an English Medium Primary School from the academic session 2017-18.

In the circumstances of the case, the relief sought by the petitioner cannot be granted. If an application filed by the petitioner on 09.07.2010 was not decided by the State Government within a reasonable time, it was necessary for the petitioner to approach this Court at least in the beginning of the year 2011 to seek a direction to the State Government to grant permission to the petitioner to run English Medium Primary School. Though the application of the petitioner dated 09.07.2010 was not decided for nearly five years, the petitioner did not take any steps in the matter

and did not file any petition for seeking a Mandamus against the respondents for deciding the application. The petition suffers from laches. The relief sought by the petitioner cannot be granted. The petitioner is, however, free to file an appropriate application to the State Government, if permissible, to seek permission to open an English Medium Primary School in the next academic session.

For the reasons aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

APTE