

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4863 OF 2015

[Swaragin Shikshan Sanstha, Amravati and one .vs. State of Maharashtra and others]

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

Court's or Judge's orders

Shri Pravin S. Patil, counsel for the petitioners,
Shri A.S. Fulzele, Addl. Government Pleader for the respondent nos.1 and 2.

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CORAM : SMT. VASANTI A. NAIK AND
N.W. SAMBRE, JJ.

DATED : SEPTEMBER 21, 2015.

Heard.

By this petition, the petitioners seek a direction to the respondent no.1 to decide the proposal of the petitioners for permission to open a school.

On hearing the learned counsel for the parties, it appears that the relief sought by the petitioners cannot be granted. The petitioners had applied in the year 2008-09 for permission to start a school. In a writ petition filed by the petitioners in the year 2010, this court had accepted the statement made on behalf of the government that it would consider the proposal of the petitioners. If nothing was done by the State Government within a reasonable time from the decision in Writ Petition No.1823/2010 on 26.4.2010, it was necessary for the petitioners to have filed appropriate proceedings within a reasonable time. The present petition is filed on 28.7.2015. The same suffers from laches. The State Government cannot be directed to consider granting permission to the petitioners on the basis of the application made by the petitioners in the year 2008. It is needless to mention that the petitioners are free to file a fresh application for permission, if permissible in law.

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

JUDGE

JUDGE