

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10051 OF 2015

Asia Group Mahila Mandal Through its
President Taslim Bano Mohammad
Aasef .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shaikh Mazhar A. Jahagirdar, Advocate for the Petitioner.
Shri B. A. Shinde, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA
K. L. WADANE, JJ.**

DATE : 03RD OCTOBER, 2016.

PER COURT :

. The learned counsel for the petitioner states that, proposal seeking approval for starting Marathi medium secondary school at village Jogeshwari, Tq. Gangapur is not approved. According to the learned counsel same is not approved on the ground that lease deed does not clarify whether institution has area of 2 Acres. The learned counsel submits that, the registered lease deed specifically shows the area of 2 Acres 01 Guntha. Same is not considered. The lease deed is filed subsequently.

2. The learned Assistant Government Pleader submits that, as the registered lease deed was not submitted, said proposal

certainly could not have been considered. The petitioner may file fresh proposal.

3. The proposal was submitted under the self finance scheme. It appears that, the copy of registered lease deed dated 12.06.2014 was submitted subsequently. However, the order does not state that, it is rejected on the ground that copy of lease deed is not submitted.

4. Considering the above, the impugned communication holding the petitioner ineligible is set aside. The respondent authorities shall reconsider the proposal of the petitioner with it on its own merits, in accordance with law and policy for the next academic year i. e. 2017-2018 by the end of May 2017. The respondent authorities shall communicate the decision to the petitioner. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]