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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 8916 OF 2015**

Shikshan Maharshi Sangppana Karjangi,
Gramin Vikas Pratisthan, Tikondi

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr. Amitkumar D. Sale for the petitioner.

Mr. P.G. Sawant, AGP for respondent nos. 1 to 4.

**CORAM : SHANTANU KEMKAR &
RANJIT MORE, JJ.**

DATED : APRIL 20, 2016.

P.C.

Rule. Rule is made returnable forthwith. By consent of the parties, the matter is taken up for final hearing at the stage of admission itself.

2. Heard counsel for the respective parties and the learned AGP for the State.

3. According to the petitioner, petitioner has not been awarded adequate marks for having own place for starting a school. He submits that the petitioner has submitted a Gift Deed and by

treating it to be a lease deed, instead of 10 marks which are awardable, 8 marks have been awarded. He has pointed out that respondent nos. 2 and 3 and have taken a decision in the meeting dated 30th May, 2014 in the District Level Committee to award 10 marks to the schools having registered Gift Deed even though 7/12 extract has not been produced and the fact of Gift Deed has not been given effect in the 7/12 extract. Having regard to the aforesaid decision and keeping in view the fact that the petitioner has a registered gift deed, in our considered view, the decision of respondent nos.2 and 3 of not granting full marks to the petitioner for having own place and awarding only 8 marks treating it to be a lease deed, cannot be accepted. Accordingly we direct respondent nos.2 and 3 to award full marks i.e. to the extent of 10 marks under the heading "Place" to the petitioner and proceed accordingly. With the above directions, petition stands disposed of.

(RANJIT MORE,J.)

(SHANTANU KEMKAR, J.)