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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9159 OF 2015

Swami Samarth Prathamik Vidyalaya Petitioner.
V/s.
State of Maharashtra and ors Respondents

Mr. Vishwasrao S. Deokar, for the Petitioner.

Mr. Vijay Killedar, for respondent No.4.

Mr. P.G. Sawant, A.G.P., for the Respondent-State.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 5th APRIL, 2016.

P.C. :

1. Heard learned counsel for the respective parties.
2. By this petition, the petitioner seeks direction to respondent No.1 to issue permission for shifting of petitioner school to its new building Siddharudh Gyan Sankul. Mr. Deokar, learned counsel appearing for the petitioner, submits that application made by petitioner on 17.8.2011 for shifting of school was returned by respondent No.5, by its order dated 9.1.2013. The counsel submits that thereafter on 2.7.2014, fresh application is made by the petitioner. However, till today no decision is taken.
3. Mr. Killedar, learned counsel for respondent No.4, placed on

record a copy of Government Resolution dated 31.7.2013. The guidelines given in the Government Resolution are in respect of the circumstances under which the permission to shift school can be granted. The guidelines are also given that such proposals for transfer should be submitted with the report of inspection by Education Officer. It seems that the respondent No.5 has not so far taken any decision on the petitioner's fresh application dated 2.7.2014 copy of which is annexed at Exhibit "J".

4. In the above circumstances, we dispose of this petition by directing respondent No.5 to consider petitioner's application dated 2.7.2014 for permission to shift its school and take appropriate decision, in the light of Government Resolution dated 31.7.2013, as expeditiously as possible preferably within a period of four weeks from the date of receipt of copy of this order.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]