

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION*

WRIT PETITION NO. 10946 OF 2016

Hindi Vidya Bhavan & anr.

.. Petitioners.

Vs.

Farooq Usman Moulvi & ors.

.. Respondents

Mr.J.P.Sen - senior advocate a/w Mr.Akshay Patil, Vishesh Malviya and Ms.Ayushi Anandpara i/b M/s.Federal & Rashmikan, for Petitioners.

Mr.B.R.Dalal, for Respondent No.1.

Mr.Sachin Kankal, for Respondent Nos.2 & 3.

***CORAM : N.M.Jamdar, J.
Thursday, 22 September 2016.***

P.C. :

The learned counsel for the parties after arguing the matter for some time, on instructions of their respective clients, state that the Petition can be disposed by consent. It is informed by the learned senior counsel for Petitioners, on instructions that the admission process for the year 2017-18 will commence in October and decision as which wards are to be admitted will be taken some time in January 2017. Following are the directions by consent of parties,

a) The Respondents will make an application to the Petitioner-School for admission of the child - Usmaan Moulvi in Senior K.G. for academic year 2017-2018, when the admission process will commence as above.

b) The Petitioner will take a decision in respect of the application for admission made by Respondents for the child - Usmaan and communicate the said outcome to the Respondents as early as possible, from the date of taking such decision.

c) In view of the above arrangement between the parties, the learned counsel for Respondents undertakes to withdraw the Notice of Motion No.1122 of 2016 filed for interim relief with liberty to revive the same in future, after the decision as stated above, if necessary. This statement on instructions is accepted.

d) Respondents will withdraw the Notice of Motion No.1122 of 2016 within period of three weeks from today, with liberty as prayed.

e) In view of the withdrawal of the Notice of Motion in above situation, consideration of challenge to the order passed under Section 9-A of the Code of Civil Procedure does not arise at present. In case the Notice of Motion is revived by the Respondent as above, liberty to the Petitioner to revive the present Petition.

2. The Writ Petition is disposed of in above terms.

(N.M.Jamdar, J.)