

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 990 OF 2015

Ghatge-Patil Apang Punavarsan
Bahuuddeshiy Samaj Seva Sanstha, Nashik. ..Petitioner.
Versus
State of Maharashtra & Others. ..Respondents.

Mr. Sachin Gite for the Petitioner.
Mrs. M. P. Thakur, AGP for the State.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.
Date : **October 20, 2016.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner and learned AGP for the State. By this petition, the Petitioner is seeking a direction to include the name of village Harantekdi, taluka Surgana, district Nashik in the master plan for opening the secondary school as per Government Resolution dated 14th June 2012.
2. Admittedly, there is no secondary school in village Harantekdi or in the radius of 5 kilometers from village Harantekdi. Be that as it may, the Petitioner's proposal to include the name of village Harantekdi in master plan is recommended by grampanchayats, block education officer, education officer, zilla parishad, Nashik and deputy director of education, Nashik division, Nashik.
3. Learned AGP has filed an affidavit to oppose the

petition. She submitted that the name of the Petitioner's village is not included in the master plan as the proposal for cancellation of the master plan is pending before the cabinet and in the event master plan is cancelled, the issue regarding inclusion of the Petitioner's village in the master plan would not arise.

4. The fact remains that as on today there are no secondary schools within the radius of 5 kilometers from the Petitioner's village and all concerned authorities have recommended the Petitioner's proposal for inclusion of village Harantekdi in the master plan and master plan as on today is not cancelled or no decision is taken in this regard by the cabinet.

5. In above circumstances, we direct the Respondents to include name of village Harantekdi, taluka Surgana, district Nashik in the master plan for opening the secondary school. This inclusion is, however, subject to the final decision of the cabinet with regard to master plan.

5. Writ petition stands disposed of.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]