

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

WRIT PETITION NO.937 OF 2014

Katayya Swami Shikshan Sanstha	.. Petitioner
V/s.	
The State of Maharashtra & Ors.	.. Respondents

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Mr. Dilip Bodke, Advocate for the Petitioner.
Mr. Vikas Mali, AGP for Respondent Nos.1 to 3.
Mr. R.D. Rane, Advocate for Respondent No.4.

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**CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.**

DATED : NOVEMBER 29, 2016.

P.C. :

Heard the parties through their respective counsel.

2 Rule. Rule returnable forthwith.

3 Mr. Mali, learned AGP waives service of notice on behalf of respondent nos.1 to 3. Mr. Rane, learned counsel waives service of notice for respondent no.4.

4 It has not been disputed by the learned counsel appearing for the parties that the question involved in this

petition has already been considered and decided by a Division Bench of this Court (Coram : Dr. Manjula Chellur, C.J. And M.S. Sonak, J.) vide judgment dated 19th September, 2016 passed in Writ Petition No.3011 of 2013 (***M/s. Dabhol Education Society Vs. State of Maharashtra & Others***) alongwith connected Writ Petitions.

5 In the light of the said judgment and for the reasons stated in it [***M/s. Dabhol Education Society Vs. State of Maharashtra & Others (Supra)***], we dispose of this petition with further clarification as contained in paragraph 35 therein which reads as under:

“55 We however clarify that the Petitioners will be entitled to submit fresh proposals for opening of English Medium Unaided Primary Schools within a period of two months from today. Such proposals may be considered by the State Government and/or the Competent Authority within a period of three months from the date of the receipt thereof on their own merits and in accordance with law. Needless to add that the State and/or the Competent Authority, in considering such proposals, shall give due regard to the RTE, the rule made under RTE and the 2012, Act.”

6 With the aforesaid liberty, Rule is discharged. The petition is disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)