

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.1829 OF 2016

People Alpasankhyank Bahuuddeshiya Shikshan Sanstha

-vs-

State of Maharashtra, through its Secretary, Department of Sport and Education, Mantralaya,
Mumbai and ors

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.S.D. Chande, counsel for the petitioner.
Mr.Nikhil Joshi, AGP for the respondent Nos.1 to 3.

CORAM : SMT. VASANTI A. NAIK &
V. M. DESHPANDE, JJ.

DATE : APRIL 6, 2016.

By this writ petition, the petitioner seeks a direction against the respondent-State of Maharashtra to reconsider the proposal filed by the petitioner-society for opening an English Primary School at Gawali Pura, Karanja from the Academic Session 2008-09 or from the Academic Session 2016-17.

The relief sought by the petitioner cannot be granted. The application was made by the petitioner in the year 2008 for permission to open an English Primary School from the Academic Session 2008-09. On the basis of the stale application, the petitioner cannot seek a direction, as sought in this petition. The proposal of the petitioner was not recommended as the petitioner had not maintained the accounts and there was insufficient bank balance. The proposal of the petitioner was not recommended in the year 2009 and the same was rejected by the State Government in the year 2010. The writ petition is filed on 1.2.2016 for

seeking permission to open an English Primary School from the Academic Session 2008-09 or from the Academic Session 2016-17 on the basis of the proposal submitted in the year 2007-08. The permission, obviously, cannot be granted for opening the school from the year 2008-09 in the year 2016. So also, permission cannot be granted for opening the school in the Academic Session 2016-17 on the basis of the application made in the year 2008. If the petitioner is desirous of opening a new primary school, the petitioner would be free to file an appropriate application, if permissible in law. However, the relief sought by the petitioner cannot be granted on the basis of the stale application of the year 2008.

For the reasons aforesaid, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

!! BRW !!