

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

WRIT PETITION NO.2348 OF 2015

Nagsen Gyan Prasarak Mandal, Amravati, Through its President Janardhan s/o
Govindrao Rakshit

-vs-

State of Maharashtra, Dept. of Social Justice, Mumbai Through its Secretary and ors.

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

Court's or Judge's Orders.

Shri A. R. Deshpande, counsel for the petitioner.
Shri K. L. Dharmadhikari, AGP for the respondents.

**CORAM : SMT. VASANTI A. NAIK &
A.S.CHANDURKAR, JJ.**

DATE : FEBRUARY 11, 2016

By this petition, the petitioner seeks a direction to the State Government to decide the representation of the petitioner dated 20/03/2014 for permission for starting a residential school for children of the Scheduled Castes and Navbuddhas.

It appears that this is a third petition filed by the petitioner. The petitioner had filed the first petition challenging the policy of the Government of not allowing the starting of residential school for the children of the Scheduled Castes and Navbuddhas. After the said petition was disposed of without granting any relief, the petitioner filed a second writ petition bearing No.1065 of 2015. In the said writ petition, the petitioner had prayed for a direction to the State Government to decide the representation made by the petitioner dated 16/01/2014. The said representation is almost identical to the representation that is sought to be

decided, as per the prayer made in this writ petition. This Court had, by an order dated 26/02/2014 disposed of the second writ petition filed by the petitioner on the ground that it was not necessary to take cognizance of the prayer to issue a writ of Mandamus to the respondent State to decide the representation.

Merely because liberty was granted to the petitioner to take such other steps that are open in law, the petitioner cannot immediately make a similar representation to the State Government and file a third petition seeking a direction to the State Government to decide the representation made by the petitioner. Since the second writ petition filed on almost similar set of facts was not taken cognizance of, by this Court and was disposed of, it would be necessary to dismiss this writ petition also.

Hence, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE