

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

WRIT PETITION NO.5243 OF 2016

[Saraswati Shikshan Prasarak Mandal, Rul, Tahsil and District-Yavatmal .vs. State of Maharashtra and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Smt. S.W. Deshpande, counsel for the petitioner,
Shri A.M. Joshi, AGP for the respondents.

.....

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : NOVEMBER 21, 2016.

By this writ petition, the petitioner seeks a direction against the respondents to consider the petitioner's application, dated 26.8.2005 and grant permission to the petitioner to open a school in the tribal area of Jam, District-Yavatmal.

We are not inclined to entertain the petition as the same suffers from laches. The petition is filed on 31.8.2016. If the petitioner had made an application on 26.8.2005 and it was not decided within a reasonable time, the petitioner ought to have approached this Court immediately. Also, the petitioner has applied in pursuance of the master plan that was applicable for the period from 2002 to 2010. Merely because the petitioner claims that there is no school in tribal area of Jam and, therefore, the students are facing inconvenience cannot be a ground for entertaining the writ petition, when the application was made in the year 2005. Mere making of applications to the authorities to decide the application would not stop the period of limitation.

In the circumstances of the case, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE