

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 335 OF 2011

Om Education Society Through
President and another .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri V. S. Panpatte, Advocate h/f Shri Irfan D. Maniyar, Advocate
for Petitioners.

Mr. M. B. Bharaswadkar, A.G.P. for Respondent Nos. 1 to 4.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 09TH JANUARY, 2017.

PER COURT :

. It is submitted that, the proposal for transfer of the school from Shivni to Bellori Dhanora was submitted by the petitioner in the year 2008, however, same is not decided.

2. Mr. Panpatte, the learned counsel submits that, every year till date the petitioners are allowed to admit the students and are allowed to appear for the examination.

3. According to the learned A. G. P. the petitioners have already transferred the school from Shivni to Bellori Dhanora

unauthorizedly. As per Rule 7.6 of the Secondary School Code unauthorized shifting of any school should be treated as automatically withdrawing of the recommendation and would stand withdrawn. The petitioners have made a categorical statement during the course of arguments that till date the petitioners are allowed to admit the students and the students admitted are allowed to appear for examination at Bellori Dhanora.

4. It is clear that, the petitioners have not been granted permission to shift the school from Shivni to Bellori Dhanora. In fact, the petitioners should have first obtained permission before transfer.

5. Be that as it may, as it is submitted that, proposal for transfer of the school is not yet decided, the respondents shall take decision upon the same expeditiously and preferably within a period of six (06) months from today, considering all the relevant aspects of the matter. All contentions of respective parties in that regard are kept open. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]