

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

WRIT PETITION NO. 8762 OF 2015

Maitreya Shikshan Prasarak
Mandal, Nandan Colony, Aurangabad ...Petitioner

VERSUS

The State of Maharashtra & ors. ...Respondents

.....
Shri Yogesh P.Deshmukh, advocate for petitioner
Shri P.S.Patil, A.G.P. for respondents
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CORAM : S.V.GANGAPURWALA & K.L.WADANE, JJ.

DATED : 4th January, 2017

PER COURT :-

Mr. Deshmukh, learned counsel for the petitioner submits that the petitioner had applied for grant of permission to start 11th standard. The petitioner is already running the school from 5th to 10th standard. Every year more than 35-40 students pass out from 10th standard of the petitioner school. Same is rejected in the year 2008 without assigning any appropriate reasons. Accordingly, the learned counsel submits that the impugned order is illegal. After

rejection was communicated to the petitioner, the petitioner was representing the authorities, but no further steps were taken by them.

2. Mr. Patil, learned A.G.P. submits that the application to start 11th standard was filed long back. The rejection was also communicated in the year 2009 and present petition is filed in the year 2015. On the ground of delay, the petition deserves to be dismissed.

3. The application given by the petitioner was rejected in the year 2008. The said application has now become stale. Even the parameters must have undergone change with regard to grant of permission to start 11th standard.

4. Be that as it may, it would not be possible for us to consider the application which was rejected in the year 2008, at this stage.

5. The petitioner may apply afresh to start 11th standard to the authority concerned. The said application shall be filed within

two weeks from today. On receiving the application, the authority shall take decision upon the said application, expeditiously, preferably by the end of May, 2017.

6. Writ Petition is accordingly disposed of. No costs.

(K.L.WADANE, J.)

(S.V.GANGAPURWALA, J.)

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