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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.11067/2016

Trimurti Pawan Pratisthan & another.
...Petitioners..

Versus

The State of Maharashtra & others.
...Respondents...

Shri Anand P. Bhandari, Advocate for petitioners.
Shri V.S. Badakh, AGP for respondent nos.1,2 & 5.
Shri S.T. Shelke, Advocate for respondent nos.3,4 & 6.
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**CORAM: SHANTANU S. KEMKAR &
NITIN W. SAMBRE, JJ.**

DATE: 29.08.2017

ORDER :

- 1] Heard learned counsel appearing for the parties.
- 2] The grievance of the petitioners is that the respondent no.8 – school is running 8th Standard class in contravention of the Secondary School Code and the Government resolution dated 2.7.2013.
- 3] It is the case of the petitioners that they are running the school within the radius of one kilometer

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from the school of the respondent no.8 which is having 8th Standard class and in the circumstances, running of the school by the respondent no.8 is not permissible.

4] The learned counsel for the petitioners submits that in this regard, an order has already been issued by the respondent no.4 – Education Officer, but the order has not been complied with by the respondent no.8 as yet.

5] Today when the matter came up for hearing, the learned counsel for the petitioners made a limited prayer that this petition may be disposed of by directing the respondent no.3 – Chief Executive Officer, Zilla Parishad, Ahmednagar, to consider the petitioners' grievance and take appropriate decision / steps in accordance with law.

6] In the aforesaid facts and in view of limited prayer, as agreed by the learned counsel for the petitioners and the respondent nos.3, 4 & 6, we dispose of this petition with liberty to the petitioners to submit a fresh detailed representation with supporting documents to the respondent no.3 within a period of two weeks. On receipt of said representation, the respondent no.3 shall take appropriate decision in accordance with

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law as expeditiously as possible and in any case not later than two months from the date of receipt of said representation. No costs.

(NITIN W. SAMBRE, J.)

(SHANTANU S. KEMKAR, J.)