

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 2425 OF 2013**

Yogeshwar Education Society & Ors.

....Petitioners.

Vs.

Director of Education & Ors.

....Respondents.

Mr. Tanaji Matugade i/by Mr. S.B. Deshmukh for the Petitioners.

Mr. C.P. Yadav, AGP for the Respondent Nos. 1 to 3.

Mr. S.G. Kudale, for Respondent No.4.

CORAM : B.R. GAVAI AND**RIYAZ I. CHAGLA, JJ.****DATE : 28 JUNE 2017.****P.C.:-**

The Petitioners challenge an order dated 31 December 2012, passed by Respondent No.1 thereby, rejecting the Appeal filed by the present Petitioners, challenging the order passed by the Deputy Director dated 9 June 2009 thereby, withdrawing the permission granted to the two schools of Petitioner No.1-Institution.

2 This is a second round of the litigation. In the first round, this Court by an order dated 14 June 2012, in Writ Petition No. 4382 of 2012, had directed Respondent No.1 to give an opportunity of hearing to Petitioner No.1 and decide the matter.

3 Accordingly, an opportunity was given to the Petitioners. From the impugned order, it reveals that, though under Secondary School Code the limitation of filing the Appeal is 40 days, the Appeal is filed by the Petitioners after a period of one year and nine months. The Appellate Authority has found that no plausible explanation causing the delay in filing the Appeal has been given. In any case, the schools are closed from the year 2009.

4 In that view of the matter, we do not find the interference is warranted after eight years. The Petition is devoid of merits and is rejected accordingly. No costs.

(RIYAZ I. CHAGLA J.)

(B.R. GAVAI J.)