

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**C.A.O. NO. 778/17 IN M.C.A. ST. NO. 5523/17 IN WRIT PETITION NO. 238 OF 2016.**

(Late Abasaheb Khedkar Education Society & another .vs. The State of Maharashtra & others)

---

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

Court's or Judge's orders

---

Mr. P.S. Patil, Advocate for petitioners,  
Mrs. K. Deshpande, A.G.P. for respondents.

**CORAM : B.P. DHARMADHIKARI & SMT. S.S. JOSHI, JJ.**

**DATED : AUGUST 4, 2017.**

In C.A.O. prayer is to condone the delay of 8 days in filing M.C.A. M.C.A. Is to review the order dated 30.1.2017 in Writ Petition No. 238/16.

In Writ Petition, prayer was to permit recovery of amount allegedly spent by petitioners on students who were admitted by it. Details like number of students, names were not given.

In this petition, an additional affidavit was also filed. However, again necessary details were not given.

In absence of those details and as the recoveries were pertaining to year 2011-12 to 2013-14 and petition was filed on 7.10.2015, we after looking into the matter proceeded to pass the order. We found that no definite number of students taking education with petitioners in any particular category yearwise was pointed out. We, therefore, found that allegations were too general.

Now along with the application for review, those details are sought to be furnished.

The students are admitted according to the petitioners/ applicants in the year 2011 and thereafter.

It is obvious that if for educating such students when State Government was not providing any grants, expenditure has been incurred by petitioners and they have not recovered it from students, recovery was not within limitation even in 2015.

In this situation, in review for the first time, such lacunae cannot be allowed to be filled in. Hence, we reject the application for condonation of delay.

**Judge**

**Judge**

J.