

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Writ Petition No.2541/2002
(Pragatisheel Shikshan Sanstha, Nagpur .vs. State of Maharashtra,
Education Department and others.)

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

Court's or Judge's orders.

Shri S.M. Ukey, Additional Government Pleader for Respondent
No.1.

CORAM : R.K. Deshpande & Manish Pitale, JJ.
DATED : September 14, 2017.

In order to accommodate 19 students from the Zilla Parishad Primary School at Bamni who passed 4th standard and 17 students from the Primary School run by the Zilla Parishad at Mokhara, a resolution was passed on 31.05.2002 for opening 5th standard in the Zilla Parishad Primary School at Bamni. This is the subject matter of challenge in this writ petition on the ground that it is likely to create unhealthy competition. On 19.10.2002 this Court passed an order as under:-

"Rule returnable early.

No interim relief for the present.

It is made clear that the petitioner is at liberty to move fresh application with the authority concerned, which shall be considered at its own merits irrespective of pendency of this petition."

2. It seems that the petitioner was not earlier granted permission to open 5th standard and, therefore,

probably the aforesaid order was passed.

3. There is no interim order passed by this Court and by passage of time we feel that the petition has become infructuous. The same is dismissed as such. Rule is discharged. No costs.

JUDGE

JUDGE

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