

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 1876 OF 2002.

(Nagsen Shikshan Sanstha . .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. A.D. Sonak, A.G.P. for respondent nos. 1 to 4.

CORAM : B.P. DHARMADHIKARI & MRS. SWAPNA S. JOSHI, JJ.

DATED : DECEMBER 15, 2017.

1] Nobody for petitioners.

2] Learned A.G.P. for respondent nos. 1 to 4, states that permission given to respondent no.5 to start a Secondary School on 5.4.2002 has been questioned in the present matter. He submits that though the distance between two locations may be less than 5 kms., as there is a nullah separating two villages and the nullah gets flooded thereby affecting education, other school has been permitted.

3] He also submits that considering all these facts, District Level Committee has issued a positive recommendation in favour of respondent no. 5.

4] During hearing, we find that the present petition has been filed on 13.5.2002 and this Court has issued notice in the matter on 14.5.2002. No interim order has been granted. The school of respondent no.5, therefore, must have started and the petition has not been amended thereafter to bring on record any adverse effect upon the school of petitioners.

5] In this situation, we find that due to passage of time, the challenge has become infructuous.

5] Accordingly, we discharge Rule and dismiss the Writ Petition. No costs.

Judge

Judge

J.