

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CONTEMPT PETITION NO.202 OF 2017
IN
WRIT PETITION NO.8255 OF 2015

Jai Bhavani Bahuddeshiya Mandal,
Nashirabad Sanchit, Ziparu Anna
Prathamik Vidya Mandir, M.I.D.C.
Jalgaon, through its Secretary

..Petitioner

Versus

The State of Maharashtra, through
its Secretary, Mr Nandkumar,
School Education Department,
Mantralaya, Mumbai and ors.

..Respondents

Mr V.P.Raje, Advocate for petitioner
Mrs M.A. Deshpande, A.G.P. for respondent-State

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVALA, JJ**

DATE : 24th April 2018

PER COURT

1. In the morning session, when the matter was called out, the learned A.G.P. mentioned that instructions are not yet received. Thereafter, we have passed an order directing respondent no.3 to remain present on the next day. Subsequently, the matter was mentioned at 1:30 p.m. by the learned A.G.P. stating that now the instructions are received and requested the matter to be taken at 2:30 p.m.

2. In the afternoon session, Mr Chalak, the learned Counsel for the petitioner is present.

3. The learned A.G.P. submits that the case of the petitioner as per the order of this Court for receiving grant-in-aid from the year 2011-12

was considered, but however, considering the policy decision of the State that grant-in-aid should not be granted with retrospective effect, it was granted from the year 2016-17.

4. Mr Chalak, learned Counsel for the petitioner submits that petitioner is entitled for grant-in-aid from 2011-12.

5. The petitioner will have to challenge the said order on merits. The same cannot be subject matter of the Contempt Petition.

6. Considering the above, as the decision as been taken, the contempt stands purged. Contempt Petition disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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