

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD.

912 WRIT PETITION NO. 5701 OF 2018

SANT KABIR BAHU UDDESHIYA SHIKSHAN PRASARAK MANDAL SHIROL  
WANJARWADA THROUGH ITS' SECRETARY  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. V.G. Kodale h/f Mr. P.G. Rodge  
AGP for Respondents:Mr. S.G. Karlekar  
Advocate for Respondent No.4 :Mr. U.B. Bondar

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CORAM : R. M. BORDE & MANGESH S. PATIL, JJ.  
Date: August 23, 2018

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PER COURT :-

1 The issue raised in the instant petition is no more *res-integra* and covered by the decision rendered by the Division Bench of this Court in writ Petition NO.4750/2018 on 10.8.2018.

2 The proposal tendered by the petitioner, seeking approval to run 6th and 7th standard divisions on account of natural growth has been tuned down by respondent- Education Officer in view of communication dated 16.6.2017. The petitioner contends that the decision shall have to be taken in accordance with the Government Resolution dated 10.3.2016 on its own merit.

3 Considering this aspect and in view of the reasons recorded in the Judgment, referred to above, we dispose of this petition with direction to respondents to decide the proposal of the petitioner, afresh in view of Govt. resolution dated 10.3.2016, on its own merit, as expeditiously as possible and preferably within a period of 12 weeks from today. The petitioner shall not be entitled to commence classes without securing prior approval from the appropriate Government.

4 Writ petition is accordingly disposed of.

( MANGESH S. PATIL, J. )

( R. M. BORDE, J. )