

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

WRIT PETITION NO. 4450 OF 2018

Pratiksha Bahuddeshiya Sevabhavi
Sanstha Khandala Through its
President Seema Arun Misal .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

WITH

WRIT PETITION NO. 4464 OF 2018

Pratiksha Bahuddeshiya Sevabhavi
Sanstha Khandala Through its
President Seema Arun Misal .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Rajendra D. Sanap, Advocate for the Petitioner in both matters.

Shri P. S. Patil, Addl.G.P. for the Respondent No. 1 in both matters.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 07TH FEBRUARY, 2019.

FINAL ORDER :

. We have heard Mr. Sanap, the learned advocate for the petitioner and the learned Additional Government Pleader for respondents/state.

2. It is submitted by the learned Additional Government Pleader that, the master plan for start of primary and secondary school as relied by the petitioner has been cancelled and on instructions further submits that, the petitioner may apply under the self finance act. Said statement is accepted.

3. In the light of the above, prayers made in the petition cannot be considered in view of cancellation of master plan as submitted by the learned Additional Government Pleader.

4. However, the petitioner is at liberty to apply under the self finance Act. Upon receipt of the application, the respondents shall consider the said application immediately. The petitioner shall apply within the time frame as given under Section 3 of the Maharashtra Self Finance School (Establishment and Regulation) Act, 2012 (for short "Act of 2012") and the respondents shall take decision upon it as per the provisions of the Act of 2012 including Section 8 of the said Act, on its own merits.

5. With these observations, the writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 19