

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

72 WRIT PETITION NO.9570 OF 2014

SHRI KOTULESHWAR SHIKSHAN PRASARAK
MANDAL, KOTUL, AKOLE, AHMEDNAGAR .. Petitioner
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS .. Respondents

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Advocate for Petitioner : Shri Kiran M.Nagarkar
AGP for Respondents No.1 to 4 : Shri S.B. Yawalkar
...

**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE : NOVEMBER 19, 2019

PER COURT : -

1. The proposal seeking permission to open the school in the tribal area is rejected.
2. Mr Nagarkar, the learned counsel relies on the opinion of the Project Officer to contend that at the place where the proposal was filed the school is required.
3. We have heard the learned Additional Government Pleader.
4. The position as prevailing today will have to be considered. The situation when the application was filed is of the year 2013-14. In the affidavit filed by the State, it is submitted that

unless the advertisement is given, the application cannot be accepted for opening of the school.

5. As and when the advertisement would be given, the petitioner may file an application for start of school which would be considered by the authorities on their own merits.

6. The writ petition is accordingly disposed of. No costs.

[AVINASH G. GHAROTE]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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