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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2436 OF 2004

Jai Jagdamba Bahudesiya Sanstha, Sarjapur .. Petitioner

Vs

The Secretary, Education Department,
Mantralaya & Ors. .. Respondents

...

Mr. V.S. Deokar for the Petitioner.

Mr. K.S. Thorat, A.G.P. for Respondent Nos.1 and 2.

Mr. Surel Shah for Respondent No.5.

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 28th AUGUST, 2019.

P.C:-

1. Learned counsel for the Petitioner has been called upon to argue the writ petition, however, counsel insisted that the matter be adjourned. We decline the matter being adjourned for the reasons the matter has become dead.

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2. The Petitioner desires to open a new military school in District Solapur. Respondent No.5 was granted the necessary permission to establish the school. As per the policy, only one school can be established that is why the permission granted to Respondent No.5 has been challenged.

3. Pursuant to the permission granted on 28th February, 2004, Respondent No.5 has established the school and it is too late in the day to cancel the permissions granted not only to acquire the land but also the constructions in which it has been running the school for the last 15 years. The Public Interest Litigation is dismissed as infructuous.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)