

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

923 WRIT PETITION NO.8070 OF 2020

**MAHARASHTRA STATE OPEN SCHOOL MSO SCHOOL
FOUNDATION, THR. ITS DIRECTOR,
VERSUS
THE UNION OF INDIA AND OTHERS**

...
Advocate for Petitioner : Mr. Yogesh Bolkar h/f Mr. Irale Eknath G.
AGP for Respondent No.7/State : Mr. S.B. Yawalkar
Advocate for Respondent Nos.1 to 6 : Mr. R.B. Bhosale, Standing
Counsel
Advocate for Respondent No.8 : Mr. Umesh S. Mote
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 01st OCTOBER, 2021

PER COURT:-

1. On 14.09.2021, we had passed the following order:

“1. The petitioner has put forth a proposal for seeking recognition as a Maharashtra State Open School from Open Schooling Board for 10th to 12th (all streams) Grades and Industrial Training Institute. It is informed that there is a National Institute of Open Schooling (NIOS) at NOIDA (UP). The Maharashtra State Open School has preferred WP No.8070/2020 against the Union of India and others.

2. It appears that none of the litigating parties before the Court, at this stage, have any clue as to who would be the authority to consider the proposal of the petitioner to start an open school.

3. Stand over to 01/10/2021 in the ' Urgent Category '. All the respondents shall ensure that the learned Advocates are properly instructed in the light of the prayers put forth by the petitioner.”

2. The learned AGP representing respondent no.7 submits that it would be respondent no.7 who would decide the pending proposal of the petitioner dated 30.01.2020 for grant of recognition of an Open School (MSO School).

3. In view of the above, this petition is disposed off by directing respondent no.7 to consider the proposal dated 30.01.2020 filed by the petitioner for grant of recognition as Open Schooling Board for 10th, 11th and 12th std (all streams) and Industrial Training Institute (ITI). The petitioner shall extend wholehearted cooperation to respondent no.7 and comply with all such requirements as are necessary. If respondent no.7 finds that there are certain deficiencies and the petitioner is not extending cooperation, it shall proceed to pass an order as deemed fit in law. It is clarified that we have not expressed any opinion in favour of the proposal filed by the petitioner. Since it is a long drawn process which also includes the requirement of approaching the Central Government for certain compliances, we expect that the said procedure would be completed prior to April-2022.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)