

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

972 WRIT PETITION NO.15419 OF 2019

**PAPABHAI DAGADUBHAI BAGWAN TRUST RAHURI
THROUGH ITS SECRETARY
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Dhage Hemant U.
AGP for Respondents/State : Mrs. G.L. Deshpande
...

**CORAM : UJJAL BHUYAN &
M.G. SEWLIKAR, JJ.
DATE : 18.03.2021**

PC. :-

Heard Mr. Hemant Dhage learned counsel for the petitioner and Mrs. G.L. Deshpande learned AGP for respondent nos.1 to 3. Though respondent no.4 has been served there is no representation on behalf of respondent no.4.

2. This petition has been filed under Article 226 of the Constitution of India seeking a direction to the respondents to accept the proposal of the petitioner for opening of new Semi-English Medium School and thereafter to provide grant in aid.

3. Papabhai Dagadubhai Bagwan Trust, a public trust registered under the Maharashtra Public Trust Act, 1950, is the petitioner. It is stated that petitioner is a public trust looking after various interest of the minority Muslim community.

4. Petitioner is running a school called Pandit Jawaharlal Nehru Urdu High School at Rahuri. Considering the societal requirement for an English medium educational institution petitioner had decided to open a new Semi-English Medium School for the minority community called Mohammadiya English Medium School (Semi-English), Rahuri. Though proposal was submitted to respondent no.1 for recognition no tangible steps were taken. It is stated that petitioner submitted fresh proposal with respondent no.4 on 03.08.2019 which was subject to certain queries. Office of respondent no.1 has not received the proposal but respondent no.4 continues to make queries after queries. It is under such circumstances that the present writ petition has been filed seeking the relief as indicated above.

5. Noticing the grievance of the petitioner this Court had issued notice on 18.12.2019.

6. Though respondents have not filed affidavit, we are of the view that the same need not detain us any further considering the order we propose to pass *qua* the grievance and the relief sought for by the petitioner.

7. Without expressing any opinion on merit, we are of the view that the proposal submitted by the petitioner to respondent no.4 on 03.08.2019 should be forwarded to respondent no.3 for onward transmission to respondent no.1.

8. Accordingly, we direct respondent no.4 to take a decision on the proposal of the petitioner dated 03.08.2019 in accordance with law within a period of 30 days from the date of receipt of copy of this order and thereafter to do the needful for onward transmission of the proposal to respondent no.1 through respondent no.3.

9. With the above direction writ petition is disposed of.

[M.G. SEWLIKAR, J.]

[UJJAL BHUYAN, J.]