

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

WRIT PETITION NO.10442 OF 2022

**AKHIL MAHARASHTRA GRAMIN SHIKSHAN VIKAS MANDAL
THROUGH ITS PRESIDENT BADSHAH FATRU PATEL
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

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Mr. S. B. Solanke, Advocate for the Petitioner.
Mr. S. K. Tambe, AGP for Respondents-State.

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**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATED : 18th OCTOBER, 2022.

PER COURT:-

1. The petitioner has put forth prayer Clause
'B' as under:-

"B. By issuing a writ of mandamus or any other writ, order in the like nature, this Hon'ble Court may be pleased to direct the respondent no.2 to forward the proposal of petitioner (Exhibit 'F') to the respondent no.1 and further be pleased to direct the respondent no.1 to take a decision on the said proposal within stipulated period and for that purpose issue necessary order."

2. The petitioner requests that respondent no.2 should forward the proposal for starting a Special School to respondent no.1 and respondent no.1 should decide the said proposal expeditiously.

3. The learned A.G.P. points out that the earlier registration of the Special School, namely Matimand Niwasi Vidyalaya, Beed Bye Pass run by Twaritadevi Bahu-Uddeshiya Sevabhavi Sanstha, Beed, has been cancelled on 08.09.2020. The Hon'ble Minister has confirmed the said order. The petitioner desires allotment of the said school to the petitioner. The Government publishes an advertisement in such matters.

4. In view of the above, this petition is disposed off.

5. In the event, such closed down school can be allotted without advertisement as per the procedure of the Government, respondent nos.1 and 2 may consider the request of the petitioner. However, if such closed down school can be allotted to any institution, only pursuant to an advertisement, the petitioner's pending representation would not be considered and the petitioner would be at liberty to apply pursuant to such an advertisement.

6. Needless to state, we have not expressed any view as regards the merits of the claim of the petitioner.

(SANJAY A. DESHMUKH)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

Devendra/October-2022