

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.2595 OF 2023

Petitioner : Hawwabai Girls Urdu High School & Junior College, Through its Head Master, Mohammad Rafiq Fateh Mohammad, Lohara, Taluka Balapur, District Akola.
 – Versus –

Respondents : 1. State of Maharashtra, Through its Secretary, School Education and Sports Department, Mantralaya, Mumbai – 32.
 2. The Director of Education Secondary and Higher Secondary Education, Maharashtra State, Pune.
 3. Deputy Director of Education, Amravati Division, Amravati.
 4. Education Officer, Secondary and Higher Secondary Education, Zilla Parishad, District Akola.

 Mr. J.B. Gandhi, Advocate for the Petitioner.
 Mr. Amit Madiwale, Advocate for the Respondents.

CORAM: **A.S. CHANDURKAR AND M.W. CHANDWANI, JJ.**
DATE : **21st APRIL, 2023.**

ORAL JUDGMENT : *(Per A.S. Chandurkar, J.)*

Rule. Rule made returnable forthwith. Heard finally by consent of the learned Counsel for the parties. The learned Assistant Government Pleader waives notice for the respondents.

02] The petitioner is a High School-cum-Junior College, which is being run as minority institute. By the Government Resolution dated 01/03/2014, it was granted permission to operate on permanent no grant basis. As per that Government Resolution, subject to fulfilment of requisite conditions, grant-in-aid to the extent of 20% with increase of further 20% every year was given. The grievance of the petitioner is that, for the academic year 2013-14, the grant was increased to 40% in the next year but it has not increased thereafter as per the Government Resolution dated 15/11/2011. The petitioner has thus on 28/02/2022 made a representation in that regard to respondent No.1 seeking release of grant-in-aid in terms of the Government Resolution dated 01/03/2014. Pursuant thereto, respondent No.2 was directed to verify the claim and submit a report thereafter. Since nothing further has happened, the petitioner has approached this Court.

03] In the light of these facts, the following order would serve the interest of justice. Respondent No.1 shall consider the petitioner's request for release of grant-in-aid as made on 28/02/2022 in accordance with law and take a decision thereon. Since the respondent No.1 has sought necessary compliance from the respondent No.2 in view of communication dated 22/04/2022, it is expected that the said respondent along with other

respondents would do the needful. Necessary decision be taken within a period of three months from receipt of copy of the order. The decision taken be communicated to the petitioner.

04] In the light of aforesaid directions, the writ petition is disposed of. Rule accordingly with no order as to costs.

(M.W. CHANDWANI, J.)

(A.S. CHANDURKAR, J.)

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