



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 WRIT PETITION NO.13310 OF 2025

CHABAI SHIKSHAN AND KRIDA MANDAL THROUGH ITS SECRETARY
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. V.G. Salgare, Advocate for petitioner
Mrs. Priya R. Bharaswadkar, AGP for respondent Nos.1 to 5

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 10th NOVEMBER, 2025

ORDER :

. Present petition has been filed for giving directions to respondent No.1 to correct the Letter of Intent in favour of petitioner and enter Gat No.363 instead of Gat No.316 situated at Rahatgaon for starting Secondary and Higher Secondary school on self finance basis. Further prayer is to issue directions to respondent No.1 to grant permission to petitioner – Education Society to start the school in Gat No.363 instead of Gat No.316.

2 Heard learned Advocate for petitioner. Learned AGP waives notice for all respondents.

3 It appears that petitioner had given proposal to start Secondary and Higher Secondary school in Gat No.316, which was belonging to a

different person. Letter of Intent after all the formalities was issued to the petitioner for starting the school in Gat No.316. It appears that the said person then revoked his consent and now the Secretary of the school has offered his own agricultural land Gat No.363 for the school.

4 Here, it is to be noted that the Letter of Intent would be given after the entire scrutiny of documents. There is also Government Resolution dated 28.07.2021 giving guidelines in respect of transfer of school. We are afraid that whether this Government Resolution would be applicable or not ought to have been considered by the State, because it is transfer of the school, that means, both the schools should be in existence. The petitioner seeks transfer of the land to be mentioned in the Letter of Intent. Whether to grant a Letter of Intent i.e. whether to start a school at a particular place or not is within the jurisdiction of the State and its authorities. Therefore, we are not inclined to grant the relief claimed by the petitioner. However, the learned Advocate for petitioner submits that representation made by petitioner is pending with respondent No.1 dated 23.05.2025 can be directed to be decided. Hence, we **dispose of** the petition with directions to respondent No.1 to decide the said representation on its own merits within a period of three months from today.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)