

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

Writ Petition No. 11052 of 2010

Shiv Chhatrapati Shikshan
Prasarak Mandal, Udgir,
Taluka : Udgir,
District : Latur,
Through its Secretary,
Balaji s/o. Bhaurao Bobade,
Age : 40 years,
Occupation : Agriculture,
R/o. Achwala, Taluka : Devni,
District : Latur.

.. Petitioner.

versus

1. The State of Maharashtra,
Through its Secretary,
School Education Department,
Mantralaya, Mumbai-32.
2. The Deputy Director of Education,
Latur Division, Latur.
3. The Education Officer (Secondary),
Zilla Parishad, Latur.

.. Respondents.

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Mr. N.U. Yadav, Advocate, for the petitioner.

*Mr. K.B. Chaudhary, Additional Government Pleader,
for respondent nos.1 to 3.*

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**CORAM : B.P. DHARMADHIKARI
&
SUNIL P. DESHMUKH, JJ.**

DATE : 31ST JULY 2012

COURT'S ORDER (Per B.P. Dharmadhikari, J.) :

1. Heard Adv. Mr. N.U. Yadav, for the petitioner, and learned Addl. G.P. Mr. K.B. Chaudhary, for the respondents.
2. Adv. Mr. Yadav points out that proposal submitted by the petitioner in the year 2008 for opening a Secondary School at village Achawala (Taluka : Devni, District : Latur), is still pending.
3. Learned Addl. G.P. submits that relevant year expired long back and, therefore, proposal cannot be presumed to be pending. He also points out subsequent developments in the matter.
4. Adv. Mr. Yadav, upon instructions, seeks leave to move fresh application. Learned Addl.G.P. Mr. Chaudhary is objecting to grant of such liberty.
5. However, in the present circumstances, we permit present petitioner to move fresh application in accordance with law and also allow respondents to consider it in accordance with law and the policy prevailing today. If the application is received in accordance with law within a

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period of six weeks from today, respondents shall attempt to consider it, as mentioned above, within further period of four months.

6. With the said liberty and observations, petition is disposed of.

(SUNIL P. DESHMUKH)
JUDGE

(B.P. DHARMADHIKARI)
JUDGE

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