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

PUBLIC INTEREST LITIGATION NO.54 OF 2019

Sanjay s/o Balasaheb Kulkarni & ors. ..PETITIONERS

VERSUS

The Union of India & ors. ..RESPONDENTS

Mr R. N. Dhorde, Senior Advocate i/b Mr R. L. Kute, Advocate for petitioners;

Mr S. S. Deve, Advocate for respondent Nos.1 & 3;

Mrs A. V. Gondhalekar, A.G.P. for respondent No.2;

Mr D. S. Manorkar, Advocate for respondent No.4

**CORAM : PRASANNA B. VARALE
AND
R. G. AVACHAT, JJ.**

DATE : 4th July, 2019

ORAL ORDER:

Learned Counsel appearing on behalf of respondent No.4 prays some time in view of the rejoinder affidavit filed on behalf of the petitioner. It was orally submitted before this Court that respondent No.4 is making arrangement for a way to be made available to cross the road on the similar lines of the underpass which is shown in the photographs placed on record by the petitioner at page 51 to page 53 of the petition.

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2. It is also submitted that there is some estimation of time fixed on the agency undertaking the exercise of providing the underpass. Learned Counsel for respondent No.4 to place on record the details of such exercise if already undertaken by respondent No.4 by way of an additional affidavit within a period of three weeks.

3. Considering the issue raised in the petition, we also deem it appropriate to direct the authority of respondent No.4 to provide audience to the petitioner or the representative of the parents, whose wards are prosecuting their education in various schools and colleges being run by the education institute, namely, Hindustani Education Society, Ausa. The representatives of respondent No.4 may take a decision so as to call upon the representative of the education institute Hindustani Education Society, Ausa to participate in the discussion.

4. Learned Senior Advocate Mr Dhorde submitted that the petitioners are ready to attend the office of respondent No.4 which is situated at Nanded, on any date in the week commencing from 8th July, 2019.

5. Accordingly, we permit the petitioners to attend the office of respondent No.4 on 10th July, 2019. In the meantime, respondent No.4

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may issue a notice to Hindustani Education Society, AUSA, calling upon the names of the representatives of the parents and the society. The petitioners and the representatives of parents and the representative of the society may attend this meeting with the documents in the nature of map or any report available with them so as to suggest the safe mode of crossing the road.

Post the petition for further consideration on 18th July, 2019.

(R. G. AVACHAT, J.)

(PRASANNA B. VARALE, J.)

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