

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6885/2014

Maurice Albert D'souza

..PETITIONER

Versus

The State of Maharashtra & Ors.

..RESPONDENTS

...

Mr.R.L.Kute,Adv. for petitioner.

Mr.K.G.Patil,AGP for respondent State.

Mr.S.T.Shelke,Adv. for R.4

Mr.D.G.Nagode,Adv. For R. 6 & 7.

...

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA,JJ.**

DATE : 21st January, 2015.

P.C. :

Though respondent no.8 is served, none appears for respondent no.8.

2] Mr.Shelke, learned counsel for the Education Officer informs that the respondent no.8 has closed down the school. The statement made on behalf of the Education Officer (Primary) is accepted. Mr.Nagode, learned counsel for respondent nos. 6 and 7 submits that respondents 6 and 7 have also communicated to respondent no.8 school to close down.

3] In spite of this, if the school is being run without permission, it is for the authorities to take action. The authorities are at liberty to take action if the school of respondent no.8 is being run without

permission and not in accordance with law.

4] The respondent authorities shall satisfy themselves that the respondent no.8 has closed the school as per the representation made by respondent no.8 to the Education Officer which is placed on record by Education Officer today.

5] As far as the grievance of the petitioner with regard to illegal construction is concerned, it is submitted by Mr.Kute,learned counsel that the representation/complaint has already been made to the respondent no.2 Municipal Corporation. It is for the Municipal Corporation to consider the said complaint and the legality of the construction being made. Respondent no.2 Corporation shall make necessary inquiry about the same. The petitioner may approach the respondent no.2 with supporting documents to substantiate his cause expeditiously.

6] Writ Petition is accordingly disposed of. No costs.

V.L.ACHLIYA,J.

S.V.GANGAPURWALA,J.

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