

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.7044 OF 2014

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.R.R.Karpe, advocate for the petitioner.
 Mr.K.G.Patil, Addl. Govt. Pleader for the State.
 Mr.S.G.Chapalgaonkar, advocate for Respondent No.4.

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

Date : 11.03.2015.

PER COURT :

1. Heard.

2. Mr.Karpe, learned counsel for the petitioner submits that the petitioner had filed complaint initially in the year 2009. The inquiry was also conducted. The Education Officer has submitted a report to the Deputy Director of Education and has prima facie come to the conclusion about the illegality in the appointment of Respondent No.4 as Headmaster. The learned counsel submits that again a complaint is made on 19.7.2014, however, no cognizance is taken. The Deputy Director of Education should decide the complaint filed by the present petitioner.

3. Learned counsel for the Respondent states that the

complaint filed earlier has been withdrawn pursuant to which the Deputy Director of Education has passed the order on 7.7.2012. The petitioner is not in office.

4. Learned Addl. Govt. Pleader submits that as per MEPS Rules, the powers are with the Management of the Sanstha for taking action against their employees. There appears one Satish Shrimant Argade, who had given complaint jointly with the petitioner had filed application with the office of the Education Officer stating that he has no grievance in respect of the earlier letters and there is no dispute in the Sanstha.

5. We have considered the submissions. The Deputy Director of Education vide its order dated 7.7.2012, had observed that Satish Argade, who had given a joint complaint along with the petitioner in the year 2009 and 2011 had filed an application that the complaint was filed due to misunderstanding and the same is removed. However, the Deputy Director of Education further observed that the Education Officer may take decision at its end.

6. It appears that because of the dispute in the Management, the proceedings have arisen. The person claiming to be the President has communicated the Education Officer vide letter dated 10.10.2013, that said Satish Argade, is misusing the letterpad of the Sanstha and is unnecessarily making application. We are not entering into the said aspect. The Deputy Director of Education has

already passed an order on the complaint of the petitioner, wherein it is made clear that it is for the Education Officer that if he finds something, may take decision at its end. In light of that, no further directions are necessary.

7. The Writ Petition is disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..11.03.2015.
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