

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

WRIT PETITION NO.9889 of 2014

Shri Shivaji High School,
Ramnagar (Sugar Factory),
Tq. and Dist. Jalna
(Through it's Head Master)

...PETITIONER

VERSUS

1. The State of Maharashtra,
Through Secretary,
School Education Department,
Mantralaya, Mumbai 32
2. The Collector, Jalna
and President, District Planning Development
Committee, Jalna, Tq. & Dist. Jalna.
3. The Chief Executive Officer,
Zilla parishad, Jalna,
Tq. & Dist. Jalna.
4. The Education Officer (Secondary),
Zilla Parishad, Jalna,
Tq. & Dist. Jalna.
5. The Education Officer (Primary),
Zilla Parishad, Jalna,
Tq. and Dist. Jalna.

...RESPONDENTS

...

Mr. Vivek Dhage, Advocate for petitioner.

Mrs. A.V.Gondhalekar, AGP, for respondent State.

**CORAM: R.M.BORDE
AND
P.R.BORA, JJ.**

**Date: August 26th, 2015

PER COURT :-

1. The petitioner school has filed the present petition seeking directions against the respondents to disburse the prize amount of Rs.10,00,000/- (Rs.ten lacs) to the petitioner school as the petitioner school had secured first number in Jalna district in the project of seed collection.

2. Shri Dhage, learned Counsel appearing for the petitioner school, submitted that an innovative project was introduced by respondent no.2 under the caption "NAVINYAPURNA UPAKRAM FOR COLLECTION OF SEEDS". In the said project, the educational institution, which would collect the maximum number of seeds, was to be given the cash prize of Rs.10,00,000/- (Rs. ten lacs). Learned Counsel submitted that the students and the staff of the petitioner school collected 3,87,48,701 seeds of various plants and the school was, therefore, awarded the first prize titled as 'Paryavaran Ratna'. Learned Counsel submitted that, accordingly, though the certificate has been issued to the school, the prize amount has not been paid to the school. The petitioner school, therefore, submitted representation dated 4.3.2014 to respondent no.2 i.e. the Collector, Jalna. Copies of the said representation were also forwarded to respondent nos. 3, 4

and 5. Learned counsel further contended that though the petitioner school pursued its request for disbursement of cash prize of Rs.10,000,000/- (Rs. ten lacs), their efforts have proved unsuccessful and, therefore, the present petition is filed.

3. One Ashok W.Raut, Deputy Education Officer, Primary, Zilla Parishad, Jalna, has filed affidavit in reply on behalf of respondent nos. 3 and 5 whereas Shri Ravindra Vithal Jagtap, the District Planning Officer, Jalna, in the collector Office, Jalna, has filed affidavit in reply on behalf of respondent no.2. The respondents have opposed the contentions and the prayer made in the petition. As contended by respondent nos. 3 and 5, the Scheme was meant for the Zilla Parishad Primary and Middle schools and not for the schools run by the private institutions. Respondent no.2 has contended that there was no such resolution for awarding such cash prizes.

4. After having considered the submissions advanced on behalf of learned counsel for the respective parties, though we decline to cause interference in the matter by exercising extraordinary writ jurisdiction of this Court, since the disputed questions of facts are involved, we record our appreciation for the petitioner school, the students as well as the teachers and the staff members of the said school for performing the extraordinary task of collecting more than three and half crore seeds.

5. Today, the learned A.G.P. has filed on record letter dated 25th August, 2015, under the signature of respondent no.4 which reveals that the students who have done the outstanding work of collecting the seeds have been awarded

with the certificates of appreciation, conferring on them the titles of `PARYAVARAN RATNA', `PARYAVARAN BHUSHAN', and `PARYAVARAN DOOT'.

We hope and expect that the respondents, by organizing a special function in this regard, shall, in more appropriate way, appreciate the outstanding work done by the petitioner school so as to acknowledge the performance of the students, teachers and the staff members of the petitioner school. With the observations as above, the petition stands disposed of.

(P . R . BORA)
JUDGE

(R . M . BORDE)
JUDGE

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AGP/9889-14wp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9889 of 2014

Date of decision: 26/8/2015

For approval and signature

HON'BLE MR.JUSTICE R.M.BORDE

HON'BLE MR.JUSTICE P.R.BORA

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| 1. Whether the Reporters of Local Papers may be allowed to see the Judgment ? | Yes |
| 2. To be referred to the Reporter or not ? | Yes/No |
| 3. Whether Their Lordships wish to see the fair copy of the Judgment ? | No. |
| 4. Whether this case involves a substantial? question of law as to the interpretation of the Constitution of India, 1950, or any order made thereunder ? | No. |
| 5. Whether it is to be circulated to the Civil Judges ? | No. |
| 6. Whether the case involves an important question of law and whether a copy of the Order should be sent to Bombay, Goa and Nagpur Office ? | No |

Private Secretary
AGP/9889-14WP