

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8488 OF 2015

Amar Rajaram Jadhav.	...	Petitioner.
V/s.		
The State of Maharashtra and others.	...	Respondents.

Ms.Prabha Badadare for the petitioner.

Vikas Mali, AGP for the State.

Prashant Kulkarni for respondent No.6.

Akshay Shinde for respondent No.9 and 10.

**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : 24th August 2015.

PC.

The petitioner has challenged the order dated 10th August 2015 passed by the Under Secretary, Government of Maharashtra. It is submitted that after receipt of resignation of the Chairman of School Board, Ichalkaranji Municipal Council, the post of Chairman was lying vacant as such election was to be held for the post of Chairman of School Board. A meeting was called. Respondent Nos.5 to 8 raised objection to hold the meeting. By communication dated 10th August 2015, the election process was stayed. Learned counsel for the petitioner submits that by communication dated 27th February 2015 the Deputy Secretary,

Government of Maharashtra had given his opinion for taking appropriate steps in respect of holding of elections. Learned counsel submits that the order passed by the Under Secretary is unreasonable and uncalled for. According to learned counsel, the Under Secretary ought not to have interfered in the election process. Learned counsel appearing for respondent Nos.9 and 10 submits that the State Government has nominated two non-government members, namely, Smt. Jaya Mahavirprasad Hurkat and Shri Vilas Shankar Ranade.

2. The Municipal Council School Board discharges important functions in the administration. In the facts the election of the Chairman of the Board shall be held as early as possible. In view of nomination of two members by the State it would be appropriate to call for a meeting to elect Chairman, in accordance with law.

3. We direct respondent No.4 to call for a meeting for holding election of Chairman of the School Board. Intimation of the meeting shall be given to all the members including newly nominated members.

4. With the aforesaid observations and directions, petition is disposed of.

(S.B. SHUKRE, J.)

(NARESH H. PATIL, J.)