

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 265 OF 2014

Maharashtra Under Privileged Teachers
Association. ... Petitioner.
V/s.
Parle Tilak Vidyalyala Association and others. ... Respondents.

Dr.Suresh T. Mane for the petitioner.

Anirudha Joshi with Ms.Sarika Mehra i/b. L.J.Law
for respondent No.1.

Neel Helekar for respondent No.2.

PPKakade, AGP for respondent Nos.4 and 5.

**CORAM : NARESH H. PATIL AND
A.S. GADKARI, JJ.**

DATED : 13th February 2015.

PC.

Learned counsel for the petitioner submits that the petitioner is a registered association formed to protect and represent the interest of backward class teachers all over Maharashtra. The petitioner raised objection to the appointment of respondent No.2 as Principal of the college run by respondent No.1. Learned counsel for the petitioner submits that appointment of respondent No.2 was not made in accordance with the norms framed for the said purpose. It violates the government resolution dated 30th January 2012. Reliance is placed on notings made by the officer of the University of Mumbai. Learned counsel submits that

university nominee was not present during the interview. According to the learned counsel, the petitioner has locus to raise this issue.

2. The learned counsel for the respondents raised preliminary issue regarding maintainability of the petition. The petitioner has no locus to raise the issue in respect of appointment of respondent No.2. Photostat copies of some of the documents maintained by the university and college are annexed by the petitioner. However, the source of these documents is not disclosed in the petition. In the submission of learned counsel, the petitioner is not entitled raise issue in respect of appointment of respondent No.2 made in the year 2012 that too in the petition filed in the year 2013 on the grounds which are not sustainable.

3. We have perused the petition and record placed before us. The respondent- management has appointed respondent No.2 on probation as Principal with effect from 23rd July 2012. We doubt whether the petitioner, in the capacity of association formed to protect the rights of backward class teachers, has locus to raise the issue regarding appointment of respondent No.2. We are informed that representation has been made to the authorities in this regard.

4. Considering the submissions advanced and the record placed before us, in exercise of extra ordinary writ jurisdiction, we are not inclined to entertain this petition. The petition is dismissed.

(A.S. GADKARI, J.)

(NARESH H. PATIL, J.)