

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

**WRIT PETITION NO. 4712 OF 2015**

Shriram Zinguji Bhalavi

-vs-

State of Maharashtra and others

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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. Anand Parchure, counsel for the petitioner.  
Mrs. Bharti Dangre, G.P. for the respondent Nos.1 to 5.

**CORAM : SMT. VASANTI A. NAIK &**  
**A. I. S. CHEEMA, JJ.**

**DATE : 27.08.2015.**

By this petition, the petitioner challenges the order of the Director of Education, dated 09/06/2015 as being patently illegal. The petitioner also seeks a direction to the respondent No.1-State of Maharashtra to initiate a departmental enquiry against the Education Officers working under Zilla Parishad, Yavatmal and fix the personal responsibility on the officers for not removing the teachers that were illegally appointed by the respondent No.7-Education Society.

The petitioner claims to be the Secretary of respondent No.1-Patanbori Education Society. According to the petitioner, the respondent No.7-Education Society had published an advertisement for filling the post of Shikshan Sevak that was reserved for the handicap person. According to the petitioner, though the respondent appointed on the said post is not physically challenged, and is able bodied, the respondent No.7 appointed the said respondent on the post of Shikshan Sevak. It is stated that the Education Officers had granted approval to the illegal appointments of the respondent Nos.10 and 11. The petitioner has, therefore, sought action against the Education Officers and a direction to the Deputy Director of Education to remove the persons that are wrongfully appointed by the respondent No.7-Education Society in the school run by the same.

On hearing the learned counsel for the parties and on a perusal of the impugned order, it appears that there is no scope for interference with the impugned order of the Deputy Director of Education in a petition filed by the person, who claims to be the Secretary in the respondent No.7-Society. It appears from certain documents annexed to the petition that the petitioner is not the Secretary and is an Ex-Secretary of the society. It appears that an action has been sought by the petitioner against the Management in making the appointments of Shikshan Sevaks in the school in the year 2010. The petitioner had earlier filed a writ petition that was disposed of with a liberty to the petitioner to approach the Education Authorities, if advised. It appears that certain disputes are pending between the petitioner on one hand and the office bearers of the Society on the other before the authorities under the Maharashtra Public Trusts Act. It appears that the petitioner has filed the complaint against the appointments of the teachers only with a view to settle the score with the Management. Cogent reasons are recorded in the impugned order for holding that the appointments were made in accordance with law. The learned Government Pleader states that a departmental enquiry is initiated against the Deputy Director of Education, but that has no relationship with the issue involved in this case.

In the circumstances, we dismiss the writ petition with no order as to costs.

**JUDGE**

**JUDGE**