

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.. 4846/2014

(Painganga Bahuuddeshiyta Vikas Sanstha Yavatmal vs. The State of
Maharashtra and others)

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

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Mr. S.D.Chande, Adv. for petitioner
Mr. T.R.Kankale, A.G.P. for respondent nos.1 to 3
Mr. Dnyaneshwarkumar Kale Adv.for Respondent No.5
Mr. N S Deshpande, Adv.h/for Mr P.M.Pande, Adv.for res. no.8
Mr. M.M.Agnihotri,Adv.for respondent nos. 7 to 9
Mrs.S.B.Khobragade, Adv. for respondent No.10

CORAM : SMT.VASANTI A. NAIK &
A.M.BADAR, JJ.

DATED : 23rd March, 2015.

Heard.

By this petition, the petitioner seeks a direction to the respondents to take legal action against the respondent nos. 7 to 10, as they are illegally and unauthorizedly running the primary classes in Patanbori village, without securing necessary permissions.

It is stated on behalf of the Education Officer by placing reliance on the affidavit-in-reply, that notices have been issued to the respondent-Schools, which are unauthorizedly running the primary classes and the sections which were being illegally run, have been closed down. It is stated on behalf of the respondent no,7 by

placing reliance on the permission granted by the State Government for running the primary classes since the year 2009 to 2014, that the respondent no.7 is not illegally or unauthorizedly running the classes, but has been permitted to do so.

On hearing the learned counsel for the parties, it appears that the purpose of filing of this Writ Petition has been served as the respondent-Zilla Parishad has taken action against the erring Schools which were illegally running the classes without permission. The respondent no.7 has annexed some documents to the affidavit-in-reply to show that the respondent no.7 has permission to start the primary school classes. If the petitioner is of the view that the permissions are either not granted or they are wrongly granted, the petitioner is free to take appropriate action against the respondent no.7. However, in view of the general prayer made in the Writ Petition, that cannot be an issue which could be decided in the present Writ Petition.

In view of the aforesaid, we dispose of the Writ Petition, with no order as to costs.

JUDGE

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