

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) WP NO.6508 of 2016

**33 WRIT PETITION NO. 6508 OF 2016
WITH
CA/10534/2016 IN WP/6508/2016**

PRADIP SHANKAR SONWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Kulkarni Mukul S.
GP for Respondent State: Mr. A.B.Girase
Mr.Sapkal V.D., Adv., for respondent no.3A.
Mr.Sawant Amol S., Adv. for R/3B.

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Mr.Jagtap Vijay B., Advocate for intervenor.

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CORAM : R. M. BORDE & P.R. BORA, JJ.
Dated: September 07, 2016

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PER COURT :-

1. Civil Application (No.10534/2016) for intervention is allowed.

2. The petitioner in Writ Petition No. 6508/2016 is objecting to the order passed by the Education Officer directing his transfer to Anglo Urdu High School, Sindkheda. Petitioner was functioning as a Principal at MHSS High School and Junior College at Sindkheda before issuance of the impugned order. According to the petitioner, the issuance of the instant order is the outcome of disputes between the two groups of the management,

AGP/-

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claiming control over the affairs of the educational institution. It is further contended by the petitioner that he is being unnecessarily harassed by one group of the management. He was also required to approach this Court by presenting Writ Petition No.4945/2015, challenging the order of initiation of an enquiry against him. However, after institution of the petition, the order was withdrawn by the management and, as such, the petition came to be disposed of.

3. Considering the factual aspects, and the rival contentions of the parties, we do not deem it appropriate to consider the disputed questions of facts raised in the petition. It would be appropriate for the Deputy Director of Education to consider the issue, and after extending opportunity of hearing to all the parties concerned, the concerned officer may pass appropriate orders. The order passed by the Education Officer, impugned in the petition, shall not be pressed into service until the issue is considered by the Deputy Director of Education. It would be open for the petitioner, and all concerned parties, to raise their respective contentions before the Deputy Director of Education. The Deputy Director of Education, after considering the rival contentions, may record appropriate decision as expeditiously as possible,

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preferably within a period of four weeks from today.

With the directions as above, the Writ Petition stands disposed of.

The parties may appear before the Deputy Director of Education on 20th September, 2016, and as such, no separate notice requiring their presence would be necessary.

(P.R. BORA, J.)

(R. M. BORDE, J.)

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