

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1607 OF 2014

Guruji Shikshan Prasarak Mandal's
Acharya Donde Vidyalaya, Ozewadi ... Petitioner

V/s.

The State of Maharashtra & anr. ... Respondents

Mr. S.S. Aradhye for the petitioner.

Mr. Vikas Mali, AGP for the State.

**CORAM : NARESH H. PATIL AND
M.S. SONAK, JJ.**

4th January, 2016.

P.C.

The petitioner challenges the order passed on 10th April, 2012 annexed to Exhibit A to the petition by Education Officer (Secondary), Zilla Parishad, Solapur directing closure of two divisions of 8th and 9th standard classes conducted by Acharya Donde Vidyalaya, Ozewadi. These two divisions were directed to be attached to a school namely Smt. Nirmalatai Thokal Prashala, Solapur.

2. Learned Counsel appearing for the petitioner submits that without providing an opportunity of hearing to the petitioner management, impugned order was passed which has caused prejudice to the petitioner.

The petitioner placed reliance on a Staff Approval Report prepared in the year 2012 and approved by the Education Officer.

3. Learned Counsel submits that in case an opportunity was provided, the management could have placed appropriate record before the concerned authorities. It is submitted that due to the impugned order, there is unrest amongst the staff members, some of whom have gone on strike unto death.

4. We have perused the record placed before us. We issue following directions:

i) We direct the Dy. Director (Secondary) Pune Division, Pune to hear the representative of the petitioner management and management of Smt. Nirmalatai Thokal Prashala, Solapur and any other concerned party on the subject issue.

ii) After hearing the parties, we direct that Dy. Director to pass a brief reasoned order on its own merits within three months from the receipt of the order passed by this Court.

5. It is clarified that this Court has not expressed any opinion on the merits of the grievance of the petitioner. With aforesaid observations and directions, Writ Petition is disposed of.

6. Learned AGP to communicate the order to the Dy. Director (Secondary) Pune Division, Pune forthwith.

(M.S. SONAK, J.)

L.S. Panjwani, P.S.

(NARESH H. PATIL, J.)