

- (b) In the facts and circumstances of the example cited by the petitioner, be pleased to pass an appropriate order with reference to the enquiry initiated against the respondent no. 7 by the respondent nos. 2 and 3 and the suspension order dt. 11/02/2016 and the same be quashed and set aside.
- (c) During pendency of this petition, be pleased to relieve the head-mater in the State of Maharashtra from the responsibility of implementing mid day meal scheme introduced by the respondent nos. 1 and 2 and be pleased to stay the suspension Order passed against respondent No. 7 dated 11/02/2016.
- (d) Ad-interim relief in terms of prayer clause (c).
- (e) Any other suitable and equitable relief may kindly be granted in favour of the petitioners, in the interest of justice and facts and circumstances of the case.”

2. This petition is filed as a PIL by the Petitioner. The grievance of the Petitioner is that the responsibility placed by the State Government on the teaching and non-teaching staff for non implementation of the mid day meal scheme is arbitrary.

3. In our view, the State Government appears to have placed responsibility on the staff for non implementation of the mid day meal

scheme. According to us, head-master and staff of the school are competent to approach this Court, in the event they are aggrieved by any order passed by the Staff Government. In the present petition, the Petitioner has challenged the order of suspension passed by Respondent Nos. 1 and 2 against Respondent No. 7. It is always open for Respondent No. 7 to independently challenge the said order, if he is aggrieved by the said order. In our view, this petition cannot be treated as PIL. Moreover, the Apex Court has held in umpteen number of cases that the High Court while exercising writ jurisdiction under Article 226 of the Constitution of India, should not entertain PIL in service matters. Therefore, PIL is disposed of, reserving the right of a person, who is aggrieved by virtue of an order of placing responsibility on him for non implementation of the said policy / scheme of the State Government.

Sd/-
[M. S. SONAK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath