

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5879 OF 2016

Ganesh Haridas Padwal

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. L.S. Deshmukh for the Petitioner.

Mr. K.S. Bapat i/b. Mr. A.H. Fatangare for Respondent Nos.2 and 3.

Mr. V.M. Mali, A.G.P. for Respondent No.1-State.

CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 1st AUGUST, 2016.

P. C. :

By this petition the Petitioner is challenging his transfer order on the ground that he could not have been transferred from primary school to the B.Ed. College.

2. Mr. Bapat, the learned counsel for Respondent Nos.2 -Dr. D.Y. Patil Education Academy, at the outset questions the maintainability of this petition. He also submits that the Petitioner was working in a private school as an art teacher and transferred as an art teacher in the B.Ed. College. His service conditions are not changed. He further submits that though the Petitioner is transferred in the

month of April 2016, he has not reported so far to the transferred placed.

3. Having considered the rival submissions, we find that the Respondent No.2 is a private school and Respondent No.3 is a private junior college. They are not the authority of the State, within the meaning of Article 12 of the Constitution of India and hence their functions are not amenable under the Article 226 of the Constitution of India.

4. Needless to mention that the Petitioner is at liberty to adopt appropriate legal remedy in accordance with law. The petition stands disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)