

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

WRIT PETITION NO. 283 OF 2015

Chandrapur Zilla Shikshan Sanstha Sanchalak Sangh Vs. Statge of Maharashtra thr Deptt. Of Edu. &
Sports Mumbai & Ors.

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

Court's or Judge's Order

Shri M. P. Khajanchi Adv for petitioner.
Shri Ambarish Joshi AGP for respondents.

**CORAM: SMT. VASANTI A. NAIK &
A. S. CHANDURKAR JJ.**

DATED: 17th FEBRUARY, 2016.

The following two prayers are made by the petitioner in
the instant petition:

a] Issue an appropriate Writ, order or a direction directing the respondent no.1 to appoint the State Advisory Council as prescribed under Section 34 of the Right of Children to Free and Compulsory Education Act, forthwith;

b] issue an appropriate Writ, order or a direction to quash and set aside the impugned communication dated 31st July, 2014 (Annex.P-7) and such similar communication issued to each of the members of

petitioner-Society by respondent no.2-Education Officer (Secondary), Zilla Parishad, Chandrapur.

Shri Ambarish Joshi, the learned Assistant Government Pleader appearing on behalf of the respondents states that the cause for filing the writ petition has been rendered infructuous, in as much as the respondent no.1 has constituted the State Advisory Council by the Government Resolution dated 19.03.2013. It is stated that in view of the constitution of the State Advisory Council prayer Clause (a) would not survive and the grievance of the petitioner in that regard stands redressed. It is stated that in respect of the prayer made in prayer clause (b), the issue is answered against the petitioner by the Division Bench at the Principal Seat, by the judgment dated 15.12.2015 in the case of *Sindhudurga Chalak Sanstha Vs. Union of India and others*. It is stated that the State Government would take appropriate steps in pursuance of the judgment dated 15.12.2015.

On hearing the learned Assistant Government Pleader for the respondents, we find that the cause for filing the writ petition would not survive as the State Advisory Council is already constituted by the Government Resolution dated 19.03.2013 and the challenge to the impugned communication dated 31.07.2014 stands answered against the petitioner by the judgment rendered at

the Principal Seat on 15.12.2015.

In view of the aforesaid, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

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