

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 1167 OF 2014

Dnyaneshwar s/o Ramdas Nimsarkar

-vs-

State of Maharashtra, thr.its Secretary, Deptt.of Education and others

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

Court's or Judge's Orders.

Ms Sweta D. Wankhede, counsel h/f Mr.S.S.Dhengale, counsel for the petitioner.
Mrs.Kalyani Deshpande, AGP for the respondent Nos.1 to 4.
Mr. R. Dhore, counsel for the respondent Nos.5 to 28.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 27.06.2016.

By this writ petition, the petitioner seeks a direction against the respondent No.2 to take expeditious decision in the complaint of the petitioner, dated 12/04/2012. The petitioner seeks action against the respondent Nos.5 to 25 in view of the irregularities committed by the respondent Nos.5 to 25.

According to the petitioner, the respondent No.5-Management has wrongfully appointed the respondent Nos.6 to 25 without compliance of the reservation policy and with a view to favour the respondent Nos.6 to 25, the petitioner is transferred from time to time from one school to another.

Shri Dhore, the learned counsel for the respondent Nos.5 to 28, states that during the pendency of the writ petition, the complaint has been decided by the Deputy Director of Education. It is stated that the petitioner is unnecessarily raising a dispute with the respondent No.5-Management in respect of the employees appointed by it. In the circumstances of the case, we are not inclined to exercise the extra ordinary writ jurisdiction. The petitioner cannot make a grievance about the appointments of the respondent Nos.6 to 25. If the petitioner is transferred illegally, it would be necessary for the petitioner to challenge the transfer order. A writ petition seeking a

direction to the respondents to decide the complaint relating to the illegal appointment of other teachers cannot be entertained at the behest of the petitioner. The petitioner would have no *locus standi* to challenge the appointments of the respondent Nos.6 to 25, as the petitioner is an employee in the school run by the respondent No.5-Management.

Since we do not find any merit whatsoever in the claim of the petitioner, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

KHUNTE