

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

WRIT PETITION NO.16/2016

Anand Dnyan Shikshan Sanstha, Nerla, through its Vice-President, Shri Rama Maroti Kawale, Nerla, Tahsil Paoni, District Bhandara

...Versus...

Shri Bandu s/o Ramaji Raut and others

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

Court's or Judge's orders

Shri B.M. Kharkate, Advocate for petitioner
Shri N.B. Kirtane, Advocate for respondent no.1
Shri Prashant Gode, Advocate for respondent nos.2 and 3

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : 25.04.2016

By this writ petition, the petitioner challenges the grant of approval to the appointment of the respondent no.1 as an Assistant Teacher.

It would not be proper to consider the prayers made by the petitioner in exercise of the writ jurisdiction. It appears that there are two factions in the Management and the petition is filed by the faction to which the Vice-President claims to belong. The other faction in the Management is led by the respondent no.3. In pursuance of a compromise that was entered between the respondent no.1 and the Education Society through its President, the respondent no.1 was appointed and the education Authorities have granted approval to the appointment of the respondent no.1.

If the petitioner belongs to the other faction in the Management, the petitioner is free to file appropriate proceedings under the Bombay Public Trust Act. However, it would not be proper to consider the correctness of the order granting approval to the appointment of the respondent no.1, when there are two factions in the Management.

In the circumstances of the case, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

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Wadkar