

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5604 OF 2012
(Arun Sakharam Kolhe Vs. The State of Maharashtra and others)

Mr.N.R.Pawade, Advocate for the petitioner.
Mr.P.P.Dama, Advocate for respondent Nos.2 to 4.
Mr.H.V.Patil, Advocate for respondent No.6.
Mrs. M.A.Deshpande, Addl.GP for respondent Nos. 1 to 5.

(CORAM : RAVINDRA V. GHUGE AND
SUNIL K. KOTWAL, JJ.)

DATE : 06/11/2017

PER COURT :

1. The petitioner in this petition has specifically pleaded and averred that respondent No.6 is a school teacher already in employment and is illegally conducting a school at the address mentioned in the cause title of the petition.

2. We called upon the petitioner to answer as to how he is connected with the said school. It is specifically stated that it is nowhere pleaded in the petition as to how the petitioner gets a locus to question respondent No.6/School.

3. The petitioner then contended that the school is being operated in the Colony in which the petitioner resides. We called upon the

learned Advocate to point out from the petition and the averments as to how he is affected by the existence of the school in the said Colony. Neither the petitioner can point out from the pleadings nor do we find a single averment that the petitioner is before us on account of the inconvenience and nuisance being caused by the existence of the school in the said Colony.

4. In the above circumstances, we find that when the petitioner has no nexus or connectivity with the school being operated and when the petition is filed to allege irregularities in the school without the petitioner being in any way related or connected with the school, we are not inclined to entertain this petition seeking a direction for a roving enquiry against respondent No.6 and a direction to the State / Education Department to initiate action against some of its Officers.

5. It is, in the light of the above that this petition is dismissed.

(SUNIL K. KOTWAL, J.)

(RAVINDRA V. GHUGE, J.)