

WRIT PETITION NO.10911 OF 2016

Versus

Mr.K.A.Kale, advocate for the petitioner.
Mr.P.N.Kutti, A.G.P. for the State.
Mr.V.D.Sapkal, advocate for Respondent NO.4.

Date : 10.04.2017.

PER COURT :

1. Heard.

2. Mr.Kale, learned counsel for the petitioner submits that the School Committee of Respondent Nos.4 and 5 is not in accordance with the provisions of the statute. The Head Master has to be ex-officio Secretary of the School

Committee. The members of the teaching and non-teaching staff are required to be the members of the Committee. The same does not appear to be from the minutes of the meeting of the School Committee. The inquiry deserves to be conducted and the Committee requires to be declared as illegal.

3. Mr.Sapkal, learned counsel for Respondent NO.4 submits that the Committee is constituted as per the statute. If some members remained absent, they would not sign. In one of the meeting the member from the non-teaching staff is also present.

4. The petitioner has not placed on record the Committee constituted i.e. the members of the Committee. The petitioner is said to be a member of the Trust. The petitioner can get information under Right to Information Act. As per the statute, the Head Master is the ex-officio Secretary of the School Committee. It hardly matters if he signs the minutes of meeting without disclosing his status. Be that as it

may, the petitioner may get the list of the members of the Committee and in case finds the Committee not in accordance with the statute then may assail the same.

5. The Writ Petition as such is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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