

Santosh

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1081 OF 2017

Managing Committee Keerti Vidyala

High School, by its Chairman.

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Petitioner.

Versus

State of Goa through

Chief Secretary & Ors.

.....

Respondents.

Mr. Gaurish N. Agni, with Mr. Eeshan Uspakar, Advocates for the
Petitioner.

Ms. Purna Bhandari, Additional Govt. Advocate for Respondents
No.1 and 2.

***Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ.***

Date : 5 December 2017.

P.C.:

The Petitioner, an educational institution, has challenged the Show Cause Notice, issued by the Director of Education- Respondent No. 2, calling upon the Petitioner to show cause why the State Government should not invoke the provisions of Section 20 of the Goa School Education Act, 1984 and take over the Management of the School.

2. Mr. Agni, learned Counsel for the Petitioner sought to urge various contentions, including the powers of the Respondent No.2 to issue such a notice. However, the stage is only of an issuance of a show cause notice. It is not that the State Government cannot take over the management of a school in the given circumstances. The question whether the circumstances exist or not, is a matter of inquiry, which we do not wish to prejudge.

3. Keeping all contentions of the parties, including that of the Petitioner as regards the powers of the Respondent No.2 to issue the show cause notice, we dispose of the writ petition. However, considering the fact that if any adverse order is passed against the Petitioner it may entail serious consequences for the Petitioner, we direct that the effect to the order if adverse to the Petitioner, will not be given for a period of four weeks.

4. The Petition is accordingly disposed of in the above terms.

Prithviraj K. Chavan, J.

N.M. Jamdar, J.