

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

Writ Petition No. 4400 of 2016

(Bahuudeshiya Samaj Sudhar Shikshan Sanstha, Korambi Tola, through its Secretary
Shri Sadanand s/o Pandurang Burde and anr. **Vs.** State of Mah. through Secretary, School
Education and Sports Dept. and ors.)

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

Court's or Judge's orders.

Shri S. A. Chaudhari, Advocate for the petitioners
Shri Hitesh Verma, Advocate for the respondent nos. 5 & 6
Ms. Ritu Kalia, AGP for the respondent nos. 1 to 4

**CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.**

DATED : 07/03/2017.

Heard.

The petitioner-management assails classes
of 8th Standard commenced in school of respondent
no. 6, Zilla Parishad.

Shri Verma, learned Advocate for the
respondent nos. 5 and 6 submits that by
communication dated 15-7-2016, the order giving
permission to respondent no. 5, Education Officer
(Primary), Zilla Parishad have been withdrawn and
the classes have been discontinued. He invites our
attention to the fact that permission given to very
classes was questioned in Writ Petition No.
2900/2016 and because of order dated 15-7-2016,
said petition has been disposed of as infructuous.

Shri Chaudhari, learned Advocate appearing for the petitioners is seeking time to verify this fact. According to him, when writ petition was filed on 28-7-2016, the classes were already going on.

We do not wish to go into any disputed question at this stage. The competent authority on affidavit has disclosed to this Court withdrawal of permission to respondent no. 6 to run those classes. In this situation, continuation of those classes by the respondent no. 6 cannot by itself be recognized as legal.

The statement above is made by the learned Advocate for the respondent nos. 5 and 6 only, hence, we find that challenge is infructuous. Accordingly, writ petition is disposed of.

JUDGE

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