

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.3350 OF 2018

Uday s/o Narayan Patil

Petitioner

Versus

The State of Maharashtra & others

Respondents

Ms.Surekha P. Mahajan, advocate for the petitioner.
Mr.S.Y.Mahajan, A.G.P. for Respondents No.1 to 3.

**CORAM : R.M.BORDE AND
K.K.SONAWANE, JJ.
DATE : 03rd April, 2018.**

P.C. :

1 The petitioner has prayed for issuance of a direction to the respondents to cancel the approval granted to the proposals submitted by Respondents No.4 and 5 in respect of appointments, promotions and transfers of the staff after 27.02.2016, which do not bear signatures of the petitioners as President of the Institution.

2 There appears to be a dispute between the office bearers of management of the Institution. The details in respect of appointments, promotions and transfers of the staff have not been recorded in the petition.

3 Apart from this, Schedule "D" of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, prescribe a proforma for appointment of the staff. The letter of appointment is required to be signed by the Head Master and

Secretary of the School Committee. The proposal for grant of approval also shall have to be forwarded by the concerned School. The constitution of the School Committee is defined in Schedule "A". Schedule "A" prescribe Constitution of the School Committee and according to clause 2(a), the President of the Governing Body or his nominee and three other members nominated by the Governing body shall constitute the School Committee. It is not clear as to whether petitioner is the President of the governing body. Even if assuming that the petitioner is one of the members, since details in respect of appointments, promotions and transfers of the staff, during the aforesaid period, have not been furnished, a general direction, as sought for, in these circumstances, when apparently there are conflicts between the Management itself, need not be issued.

4 In exercise of extraordinary jurisdiction under Article 226 of the Constitution of India, instant case is not fit for causing interference. Petition is devoid of substance.

5 Hence, petition stands dismissed.

K.K.SONAWANE
JUDGE

R.M.BORDE
JUDGE

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