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IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.5945 OF 2013

Vithal Tukaram Pawar ... PETITIONER

VERSUS

The State of Maharashtra & others ... RESPONDENTS

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Shri Amol S. Gandhi, Advocate for petitioner
Mrs. D.S. Jape Ansingkar, A.G.P. for State
Shri S.T. Shelke, Advocate for respondent No.4
Miss Salunke, Advocate holding for
Shri V.D. Salunke, Advocate for respondent Nos.5 and 6

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CORAM: T.V. NALAWADE AND
SUNIL K. KOTWAL, JJ.

DATED : 11th JANUARY, 2018.

ORAL ORDER :

1. The petition is filed for giving directions to the respondents to see that in the school run by the respondent Nos.5 and 6, there are classes of Standard V to VIII. It is the apprehension of the petitioner that, for closing the school, the respondent Nos.5 and 6 are issuing school leaving certificates to the students and the ultimate aim is to close the school. Learned counsel for the petitioner drew attention of the Court to some documents with regard to the inspection done by the

Education Officer. It shows that the managing committee is not complying with the directions issued by the Education Department and the basic facilities are not being provided to the students. He drew the attention of this Court to the circumstances that, due to the act of the management, the strength of the students of these Standards is reduced drastically. The submissions made by both sides show that there is substance in the grievance of the petitioner, who is resident of that village and who is interested to see that the school is run properly and is not closed. The submissions made show that, at present the aforesaid classes are there in the school, those classes are not closed.

2. Learned counsel for the petitioner submits that, for providing the facility, the amount of Rs.25,000/- by cheque has been given to the Education Officer. The management is bound to give the facilities which are mentioned in the inspection note by the Education Department and if the management is not complying with the directions, it is open to the other respondents to take proper steps including appointment of Administrator on the school. The school needs to be there as even after taking some steps by the management, the students are coming to the school. The other respondents are claiming

that, they will take steps to redress the grievance of the petitioner.

3. Learned counsel for the institution submitted that, in future the management will take proper steps to provide the aforesaid facilities and will leave no room for any grievance. In view of the aforesaid observations, the Writ Petition is disposed of. The Education Officer is expected to see that there is compliance of the aforesaid directions and the facilities are provided particularly to the girl students, of which there is deficiency in the school. The funds given by the petitioner can be used by the Education Officer and the amount can be again given by the petitioner if the cheque is already returned.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE

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