

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

WRIT PETITION NO. 6808 OF 2012

MAHATMA JYOTIBA PHULE SHIKSHAN PRASARAK MANDAL, KAIJ THR JT.
SECRETARY
VERSUS
THE STATE OF MAH AND ORS

Mr.M.S.Karad, Advocate a/w Mr.S.S.Thombre, Advocate for
the petitioner
Mr.S.B.Yawalkar, AGP for the respondent/State
Mr.S.S.Jadhavar, Advocate for respondent Nos. 6 and 7

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.
DATED : 11.04.2018**

P.C. :-

. Heard learned counsels appearing for the parties.

2. Though the sufficient opportunity was given to the petitioner to place on record the resolution passed by the Management in the present petition, such resolution authorizing the petitioner has not been placed on record.

3. We are of the opinion that the petition at the instance of the petitioner in absence of any authorization to file such petition on behalf of the

institution/management is not maintainable. However, we find considerable force in the argument of the counsel appearing for the petitioner that, representation given by the petitioner to the Education Officer (Secondary), Zilla Parishad, Beed on 04.06.2012, is not considered and decided by the Education Officer.

4. In that view of the matter we direct the Education Officer (Secondary), Zilla Parishad, Beed to decide the said application/representation (Exh.U Page-53) filed by the petitioner, if not already decided on its own merits and after giving opportunity to respondent/management as well as those persons who are likely to be affected. We make it clear that, we have not expressed any opinion on the merits of the contentions raised in the representation. Such decision to be taken by the Education Officer (Secondary), Zilla Parishad, Beed as expeditiously as possible, however, within four months from today.

4. With the above observations, the writ petition stands disposed of.

[S . M . GAVHANE , J .]

[S . S . SHINDE , J .]

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