

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.3644 OF 2017**

Human Rights Association for Petitioner
Protection (through it's President
Mr. Javed R. Sikalgar)
Vs.

Shri. Balu Ananda Ladade & Ors. Respondents

Mr. Rajesh S. Jadhav for the Petitioner.
Mrs. M.M. Deshmukh, Additional P.P. for the Respondent-State

**Coram : R.M. Savant AND
Sarang V. Kotwal, JJ**

Date : 13th March, 2018

P.C.

1 The above petition has been filed for a direction that the respondent nos. 2 to 4 be directed to take action against the respondent no.1. The respondent no.1 is the Headmaster of a School run by the Zilla Parishad, Pune at Maval, District Pune. It seems that on complaints being made by the teachers as regards the alleged sexual harassment made by the said Headmaster, the said complaints were looked into by the committees and it has been observed in one of the reports dated

10th October, 2016 which is annexed at Exhibit “E” to the above petition that the respondent no.1 cannot continue as a Headmaster. To the above petition is also annexed letter dated 20th September 2016 addressed to the Education Officer, Zilla Parishad by about five teachers alleging improper conduct on the part of respondent no.1 vis-a-vis the said teachers. The said complaint is followed by further complaint dated 24th April 2017, wherein similar allegations as in the first complaint but now by six teachers finds a place. It is in the background of the aforesaid facts that the petitioners seek a direction as sought by prayer clause (b) of the petition that the respondent nos. 2 to 4 be directed to take action against respondent no.1.

2 During the course of the hearing of the above petition, it is revealed that the teachers in question have not approached the police with their complaint nor we find anything on record to indicate that the petitioner who seeks to espouse their cause has approached the police. Save and except, an N.C., which is recorded on 15th May, 2017 at the behest of one

Raghunath Rokade, who is supposedly an office bearer of the petitioner's association. The relief sought by the petitioner is also vague in as much as the petitioner seeks directions against respondent no.1, what is the direction, whether it is a departmental action or institution of criminal proceedings is therefore not clear.

3 Be that as it may, since the petitioner who is espousing the cause of the teachers who are alleging an improper conduct on the part of the respondent no.1, if the petitioner is so aggrieved, the petitioner is at liberty to approach the local police for lodging of the F.I.R. and if it is aggrieved by the response of the local police, then it can obviously approach the higher officers in the hierarchy under Section 154 (3) of the Cr.P.C. In so far as departmental action is concerned, no directions can be issued in that regard by us in our criminal jurisdiction. Hence, with the observations as aforesaid, the writ petition is disposed of.

(Sarang V. Kotwal, J.)

(R.M. Savant, J.)