

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11375 OF 2013

Mrs. Ujwala Anandrao Patil	... Petitioner
Vs	
State of Maharashtra and Ors.	... Respondents

Mr.V.K. Bodhare for the Petitioner.

Mrs.R.M. Shinde, AGP for the State-Respondent Nos.1 to 3.

Mr.Sanjay A. Ghaisas for Respondent No.4.

Ms.Anushka Helaskar i/b A.M. Kulkarni for Respondent No.5.

**CORAM : S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

TUESDAY, 18TH DECEMBER, 2018

P.C. :

1 Having heard both sides, we find that this Writ Petition is entirely misconceived. The petitioner has no business to challenge the order of Education Department and which is in favour of respondent No.5. Moreso, when the Management is not aggrieved and dissatisfied with that order. The Management has accommodated that teacher who was declared surplus in that very school, after she succeeded in Writ Petition filed in this Court being Writ Petition No.5436 of 1995.

2 Now consequential orders have been made in her favour and with which the petitioner seems to be agitated and aggrieved. The petitioner has only to carry out such administrative directions as are expected to be carried out by her. She is the Headmistress and we do not see any cause of action in her favour to challenge the directions of the Department and which are issued after the success of the fifth respondent in the Writ Petition filed in this Court. The success was obtained by her against the Management and the Department. Once none is aggrieved, then, we do not see how the petitioner can maintain such Writ Petition. It is entirely misconceived and dismissed. There will be no order as to costs.

[SMT. BHARATI H. DANGRE, J.]

[S.C. DHARMADHIKARI, J.]