

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

WRIT PETITION NO. 1895 OF 2018

Shaikh Iqbal Ahemad Abdul Razzaq Petitioner

Versus

The State of Maharashtra & Ors. Respondents

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Shri. Yogesh B. Bolkar, Advocate for the petitioner

Shri. P. S. Patil, AGP for respondent/State

Shri. Niteen V. Gaware, Advocate for respondent No. 5

Shri. P. D. Ba chate, Advocate for respondent No. 6

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CORAM : S. V. GANGAPURWALA

AND

A. M. DHAVAL, JJ.

DATE : 1ST APRIL, 2019

ORAL ORDER:

1. The petitioner seeks directions against the respondent No. 4 to include the name of the petitioner in the pay unit of the Neharu Memorial Urdu High Schook, Ajintha, Tq. Sillod, Dist. Aurangabad, and also not to take any coercive action on the basis of the letter issued by respondent No. 5.

2. There appears to be dispute in two groups of the management. Each group claiming to be In-charge of the management.

3. We may not enter into the said dispute as the same would be within the domain of the office of the Jt. Charity Commissioner. The petitioner was working as a Headmaster with the school at Ajintha since 2013. It appears that the petitioner was transferred to the school at Bharadi. The order transferring the petitioner to the school at Bharadi was also approved by the Education Officer.

4. It appears that, subsequently the Dy. Director of Education stayed the order of transfer/approval transferring the petitioner to Bharadi as a Headmaster.

5. One of the groups claiming to be in Management had filed Writ Petition No. 11088 of 2017. In the said writ petition, the State Government made a statement that, the order of stay granted to the transfer/approval has been withdrawn. It also appears that the petitioner did not contest his Writ Petition No. 9350 of 2017 and withdrew the same. As the writ petition challenging the order of transfer stood withdrawn, the same dispute cannot be considered in the present petition. It is for the petitioner to take appropriate steps.

6. As far as the prayer of the petitioner to include the name of the petitioner in pay unit of the Neharu Memorial Urdu High School, Ajintha is concerned, the same cannot be considered in view of the

withdrawal of earlier Writ Petition No. 9350 of 2017 by the petitioner.

7. The petitioner is at liberty to take appropriate steps in that regard.

8. The learned counsel for the petitioner submits that, the petitioner would join as a Headmaster at the school at Bharadi.

9. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde