

**Shri. Ashish Rameshlal Shah     }     Petitioner**  
**versus**  
**State of Maharashtra and Ors. }     Respondents**

Mr.N.R.Bubna for respondent nos. 9 to 15 and 19.

**CORAM :- S. C. DHARMADHIKARI &  
R. I. CHAGLA, JJ.**

**DATED :- NOVEMBER 14, 2019**

**P.C. :-**

1. Having perused the PIL petition, the affidavits on record, we do not think that the cause espoused is of larger public interest. If a particular school is not being administered and managed allegedly in accordance with law, including adherence to municipal legislation in the field, then, the aggrieved parents or residents can approach the authorities and make complaints. However, this court cannot take up itself everything in relation to a school and act as if it is a municipal corporation, education department of the Government or a planning authority. Precisely, this is the

approach in bringing such litigation and then that is utilised to bring about the desired result. In this case, the desired result is brought about by the authorities by stepping in to stop the functioning of the school itself. That has forced the school to initiate a litigation in this court and which is pending. Therefore, the alert and vigilant petitioners and public spirited litigants have done the needful by inviting the attention of the authorities to the acts of omission and commission attributable to the management. Thereafter, the authorities have taken the action and the matter is subjudice.

**2.** The public interest litigation has served its purpose and therefore, it is disposed of.

**3.** Any security deposit be made over to the petitioner on production of an authenticated copy of this order. If that amount has been invested and carries interest, the refund be granted with accrued interest.

**(R.I.CHAGLA, J.)**

**(S.C.DHARMADHIKARI, J.)**