

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.6356 OF 2013

Sudhir Raghunath Patwardhan } Petitioner

Vs

**State of Maharashtra, through }
Principal Secretary, Dept. of School }
Education and Ors. } Respondents**

Mr.I.M.Khairdi for the Petitioner.

Mr.Ajay A. Joshi a/w Mr.Balasaheb
Deshmukh for Respondent Nos.5 to 8.

Mr.S.B.Kalel, AGP for State-Respondent
Nos.1 to 4.

**CORAM :- S. C. DHARMADHIKARI &
M. S. KARNIK, JJ.**

DATE :- FEBRUARY 21, 2019

P.C. :-

1. After hearing both sides, we do not think that we should interfere in the impugned order.
2. That order sets aside the appointment of an Administrator which was recommended by the Director of Education.
3. Though the impugned order proceeds on the footing that the materials before the authority were inadequate to appoint an Administrator, we should not dispose of this writ petition only because that order has been passed on 19th March, 2013 and we are in the month of February, 2019, is the petitioner's request.

4. In the event, the petitioner has complained about lack of basic amenities and facilities in the school such as clean drinking water, separate toilets for boys and girl students, availability of library and playground, then, if these deficiencies subsist even now, the impugned order shall not prevent the competent authorities from taking note and cognizance of the petitioner's complaints in that behalf and taking proper steps in accordance with law. If the measures initiated by the Management are not enough to make provision for these basic amenities even now, then, a stern action can still be taken irrespective of the impugned order of the concerned authority.

5. We do not think that the authorities are prevented from ensuring that a school does not lack in basic facilities and amenities for students and staff. Secondly, the Management and administration of the educational institution is smooth and there are no disputes particularly, amongst the trustees and continuing in a Court of law. Thirdly, the grievances of students and teachers ought to be redressed with expediency and if anything is lacking in that regard, suitable directions can even now be given by the authority. Keeping all these courses open and equally the contentions with regard thereto, we dispose of this writ petition.

(M.S.KARNIK, J.)

(S.C.DHARMADHIKARI, J.)