

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8988 OF 2014

Iqbal Khan Abdullah Khan & Anr. Petitioners
Vs.
State of Maharashtra & Others Respondents

Mr. Ashish Gabhale i/by M/s. Jay & Co. for
the Petitioners.

Mr. S.B. Kalel, AGP, for the Respondent-State.

Mr. S.S. Patwardhan for Respondent No.2.

Ms Anamika Malhotra for Respondent No.3.

Mr. Priyadarshan Kamble, Under Secretary,
Rural Development Department, present.

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

DATE : FEBRUARY 28, 2019

P.C:

1. Heard. This is a petition by two petitioners stated to
be residents of Malegaon.

2. The petitioner No.2 has a child studying in one of
the schools which are stated to be Urdu Medium Schools. They
are part and parcel of certain villages which now are taken over.

These villages would now be part of the Malegaon Municipal Corporation. A decision was taken to transfer seven Urdu Medium Schools along with 58 teachers from the 3rd respondent to the School Board of the 2nd respondent. The respondent No.3 is the Zilla Parishad, Nashik, whereas the 2nd respondent is the Malegaon Municipal Corporation.

3. The grievance is that, this Resolution/decision of the State taken as far back as 4-12-2013 is still not implemented.

4. The petitioners ought to know that whenever such measures are taken, there are bound to be obstacles and hurdles placed in their implementation, including by vested interests. Some proclaim displacement and consequent injustice and, therefore, are not willing to abide by the decision. Some delay the process as they know the inevitable.

5. In the circumstances, we think that such a petition deserves to be dismissed. It is accordingly dismissed. No costs.

(M.S. KARNIK, J.)

(S.C. DHARMADHIKARI, J.)