

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

WRIT PETITION st. NO.30302 OF 2019

Ramrajya Shikshan Sanstha & anr ... Petitioners

Vs

The State of Maharashtra & Ors. ... Respondents

Mr.S.S. Kanetkar with Nikhil D. for the Petitioners

Mr.M.M. Pable, AGP, for Respondent – State
Dr.Ganpat More, Education Officer (Secondary), Zilla Parishad,
Pune – present

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

DATED: DECEMBER 6, 2019

P.C.:

1. By this petition under Article 226 of the Constitution of India,
the petitioner seeks the following reliefs:

“a) This Hon’ble Court be pleased to issue writ, mandamus and/or any other writ, order or direction in the nature of mandamus and thereby be pleased to direct the Respondent No.2 Education Officer to withdraw and/or cancel and/or recall the impugned Communication / Order / letter dated 20th September / 19th November 2019 (being Exhibit “S” to this Petition),

b) This Hon’ble Court be pleased to issue writ, certiorari and / or any other writ, order or direction in the nature of

certiorari and thereby be pleased to quash and set aside the impugned Communication / Order / letter dated 20th September / 19th November 2019 (being Exhibit “S” to this Petition);

- c) ...
- d) ...
- e) ...
- f) ...
- g)”

2. The petitioner is a society registered under the Societies Registration Act, 1860 and is also a public charitable trust registered under the Maharashtra Public Trusts Act, 1950. Petitioner No.2 is the Headmaster of one Ramrajya Shikshan Sansthan. It is one of the educational institutions administered and managed by the petitioner.

3. The respondents to this petition are the authorities under the State, particularly its Department of Secondary and Higher Secondary Education. When this petition was placed before us for admission and urgent interim reliefs, the learned AGP, on instructions, says that the Education Officer (Secondary), Pune Zilla Parishad, Pune, withdraws the communication dated 20.9.2019 / 19.11.2019, a copy of which is at page 57 of the paperbook. It is stated on instructions that this communication stands withdrawn. This statement is made by the learned AGP on

instructions of the Education Officer (Secondary), Pune Zilla Parishad, Pune, who is present in the Court.

4. In the light of the withdrawal of this communication, nothing survives in this Writ Petition and it is disposed of. The statement made by the learned AGP is accepted as an undertaking to this Court.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)