

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

WRIT PETITION NO. 3922 OF 2019

Mr. Umakant Shantaram Choudhari ... Petitioner.

V/s.

1) The In Charge Administrative Officer,
Kalyan Dombivali Municipal Council,
Education Committee, Kalyan & Ors. ... Respondents.

Mrs. Yogita Deshmukh Chitnis, Advocate for the
Petitioner.

Mr. Y. S. Kochare, AGP for the Respondents -State.

CORAM : R.M. BORDE & N.J. JAMADAR, JJ.

DATE : JULY 23, 2019.

PC :

1 The Petitioner, who is functioning as a Teacher in the Respondent No.8-Institution, has approached this court, invoking extra ordinary jurisdiction of this court, praying for issuance of directions to the Respondents to appoint Administrator to administer the affairs of the School in exercise of the powers conferred under the Maharashtra Educational Institutions (Management) Act, 1976. It appears that the Petitioner, who is employee of the education institution, has certain personal grievances, which have not been settled. It is clearly recorded in

the report, tendered by the Administrative Officer, Education Department, Kalyan Dombivali Municipal Corporation, that the disputes between the Petitioner and the Institution are continuing, which has resulted in polluting the educational atmosphere in the school. The complaint made by the petitioner to the Education Officer and Director of Education is in respect of violation of certain service conditions. Said grievance is required to be redressed by the education authorities, vested with the powers in that regard. However, we find that the complaints lodged by the Petitioner are not within the parameters laid down under section 3 of the Act of 1976.

2 In the circumstances, no directions, as requested by the Petitioner need be issued. If the authorities, invested with the powers to take action, after conducting an independent enquiry, if arrive at a conclusion that certain steps are required to be taken against the educational institution, it would be open for authorities to do so and the rejection of the instant petition shall not be construed as an impediment for taking such steps.

3 The writ petition stands rejected.

(N.J. JAMADAR, J.)

(R.M. BORDE,J.)

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