

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7494 OF 2021
WITH CA/9127/2021 IN WP/7494/2021 WITH CA/11310/2021 IN
WP/7494/2021

ANAGHA SUDHIR KURUMBHATTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.M.Kulkarni, Advocate for the petitioner.
Mrs.M.A.Deshpande, AGP for respondent Nos. 1 to 4.
Mr.D.G.Nagode, Advocate for respondent No.5.
Mr.B.N.Gadegaonkar, Advocate for respondent No.7.
Mr.V.G.Salgare, Advocate for the applicant/ intervenor in CA
No.9127/2021)

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : DECEMBER 1, 2021

PER COURT :

1. We have considered the submissions of the learned Advocate for the respective sides. It is undisputed that the learned Jt.Charity Commissioner has passed a detailed order dated 01/07/2019 in suo-motu application No.166/2018 and has appointed 3 persons as temporary trustees of the concerned Trust. They are presently managing the affairs of the Trust.

2. It is undisputed that the Pratibha Niketan Education Society, Nanded conducts 2 schools, out of which one school namely Pradnya

Niketan Girls High School, Holi is exclusively for the girl students. The Law mandates that the senior most lady teacher, subject to her consent, has to be appointed as the Head Mistress of such a school.

3. In view of the above, this petition is disposed off directing the said Committee of 3 trustees to recommend the name of the senior most lady teacher appearing in the seniority list dated 01/07/2020 placed at page No.24 in the memo of the petition, to the Education Officer / respondent No.3, on or before 15/12/2021. Thereafter, the Education Officer shall follow the procedure laid down in Law and appoint the eligible senior most lady teacher who has consented, as the Head Mistress of the Pradnya Niketan Girls High School, Holi. After such order is passed on or before 30/12/2021, respondent No.7 who is presently the Incharge Head Master, shall hand over charge to the Head Mistress. He is agreeable.

4. Pending civil application filed by one of the trustees, would not survive. Hence, it stands disposed off.

5. Similarly, CA No.11310/2021 also stands disposed off.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)