

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 729 OF 2021

Ku. Varsha Ashokrao Sangole and another -- Petitioner
vs.
Superintendent Charity Commissioner Office
Amravati and others -- Respondents

Mr. P. S. Patil, Advocate for the Petitioners.
Ms. Kalyani Deshpande, AGP for the Respondent No.1 and 3.
Mr. S.M.Vaishnav, Advocate for the Respondent No.2.

CORAM : NITIN JAMDAR &
ANIL S. KILOR, JJ.

DATE : 05 FEBRUARY 2021

P. C. :

This Petition is filed by two employees of the Respondent – Bhumiputra Shikshan Prasarak Sanstha (Trust), who are working as Head-Mistress and Head-Master in the schools run by the Respondent–Trust. They have challenged the communication dated 13 March 2020. By the impugned communication the Charity Commissioner has passed an order which has implications on the *interse* dispute between the trustees of the Respondent–Trust.

2. The learned Counsel for the Respondent–Trust is right in contending that the Petitioners are not concerned with the *interse* disputes, as no order which directly affects the services of

the Petitioners is part of the challenge in this Petition. We are in agreement with the contention of Respondent that the Heads of the school are entrusted with the important task of imparting education and looking after administration of the school should focus on their work rather than getting involved in the interse disputes between the trustees.

3. The learned counsel for the Petitioners sought to contend that there is an affidavit filed by the Charity Commissioner which supports stands taken by the Petitioners, in as much as Charity Commissioner has tendered an apology for issuance of the communication.

4. Once we hold that the Petitioners ought not to have initiated such petitions when their services were not affected, we do not take cognizance of any such reply filed by the Charity Commissioner. We make it clear that in case any action is taken or likely to be taken in respect of services of the Petitioners, it will be open to the Petitioners to take such grounds as may be available in law.

5. Writ Petition is accordingly disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]