

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

WRIT PETITION NO. 3541 OF 2020

Rajesh Kisan Chavhan and others

-- Petitioners

vs.

Wasnik Shikshan Sanstha and others

-- Respondents

Mr. Sachin Khandekar, Advocate for the Petitioners.

Mr. A. M. Deshpande, Addl. G. P. for the Respondent Nos.2 to 4.

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

DATED : 01 FEBRUARY 2021

P. C. :

The Petition is filed by teachers working in Respondent No.1 Educational Institute for a direction to supply their Service Books.

2. The Respondent Nos.3, 4 and 5 are the Authorities who have exercised control over the Respondent No.1. Learned Additional Government Pleader states that these Authorities can look into the grievance of the Petitioners and take necessary steps but as the Respondent No.1 is de-recognized, they will have a limited control over the Respondent No.1. The Respondent

Nos.3, 4 and 5 will issue necessary directions immediately as the Respondent Institution continues to be affiliated.

3. Even assuming that the Respondent No.1 is de-recognized, is still continued to be a 'Trust' under the control of Charity Authority. For the case of the Petitioners the Service Books is the property of the Petitioners and wrongly withheld, the Petitioners have remedy of approaching the Civil Court or initiate a prosecution. When all these remedies are open to the Petitioners, it is not necessary to exercise the writ jurisdiction.

4. Accordingly, Writ Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]