

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5437 OF 2022

VIRAT RASTRIYA LOKMANCH COUNCIL THROUGH ITS PRESIDENT
SHAIKH NAEEM SHAIKH LAL
VERSUS
STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL SECRETARY
AND OTHERS

Mr.P.S.Agrawal, Advocate for the petitioner.
Mr.S.K.Tambe, AGP for the State.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : AUGUST 22, 2022

PER COURT :

1. The petitioner has put forth prayer clause 'C' and 'D' as under :-

"C. By issuing appropriate writ, order or direction, the respondent No.6 be directed to conduct the enquiry as per letter dated 24.01.2022 (Annexure "F") and submit the report before this Hon'ble Court.

D. By issuing appropriate writ, order or direction the State of Maharashtra be directed to initiate administrative action and criminal action on the report submitted by respondent No.6 against the fraudulent officer of Education Department, private management and its head teachers for making fraudulent entry and taking benefit on the basis of said fraudulent entries and to submit the report of action taken on the enquiry report."

2. The petitioner claims to be the President of the Virat Rastriya Lokmanch Council. Details of the registration of this purported non governmental organization, are not placed on record. The social activities purportedly performed by the NGO, are not disclosed. Allegations have been indiscreetly made against several officers, teachers as well as the Management of the School and it is contended that administrative action and criminal action be taken on the report of respondent No.6 against fraudulent officers of the Education Department, Private Management and its teachers for making fraudulent entries.

3. We find from the communication by the Deputy Director, Education (Primary), Education Directorate, State of Maharashtra, Pune dated 24.01.2022 addressed to the Divisional Deputy Director (Education), Aurangabad Division Aurangabad that the concerned authority has called upon the Divisional Deputy Director (Education) to initiate appropriate action as is permissible in Law in the light of the threat of the petitioner that a PIL petition would be filed in the Court.

4. The petition before us is not a PIL petition. It is a petition filed

by the President of the petitioner whose details, locus and identity is not disclosed in the petition. There is not a single averment as to who is the petitioner and what is the activity of the petitioner and whether it is a registered NGO and who are the members of such NGO.

5. In the light of the above, we are unable to entertain this petition and more so when the careers of certain officers are at stake and that too under the threat of the petitioner, which threat is visible from the communication by the Deputy Director, Education in his letter addressed to the Divisional Deputy Director (Education), Aurangabad.

6. As such, this petition is dismissed.

7. In the event, the petitioner desires to file a PIL, this court would consider as to the quantum of the amount that the petitioner would deposit to test the bonafides of the petitioner.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)