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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO.6442 OF 2022**

**MIRZA WAHID ALI MOHAMMAD ALI  
VERSUS  
THE STATE OF MAHARASHTRA PRINCIPAL SECRETARY  
AND OTHERS**

....

Mr Ajinkya Reddy, Advocate for petitioner;  
Mr S. K. Tambe, A.G.P. for respondents/State

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

**DATE : 7th September, 2022**

**PER COURT:**

1. The petitioner claims to be the Vice President of the Liberal Education Society, Udgir, which claims to be operating a School by name 'Jamhoor Primary and Higher Secondary High School'. The petitioner was a Lecturer in the 'Maharashtra Udaygiri Mahavidyalaya', Udgir and retired in 2006. His grievance is, that respondent No.6, who is appointed as an 'Assistant Teacher' in the said primary and Secondary High School, has acquired the post of Headmaster of the School on the basis of forged and fabricated Mark-sheet and Bachelor of Arts Degree.

(2)

2. The learned Advocate for the petitioner submits that, a first information report has been registered against respondent No.6 at the behest of the petitioner. The Secretary of the Institution is in connivance with respondent No.6. There are two factions in the Management, who are quarrelling with each other. Their disputes are before the Joint Charity Commissioner. In this backdrop, the petitioner prays that, the approval granted to respondent No.6 be cancelled and a Departmental Enquiry be initiated against respondent No.6 and until this is done, he should be suspended from his post.

3. We would not entertain a petition, which is filed by one of the Trustees of the Society. The petitioner is not empowered to sue or be sued on behalf of the Society in his individual capacity. This is a matter which is internal to the governance of the Society and the School. Such issue should be dealt with by the Management. There is no embargo on the Management to initiate action if at all the Management takes a decision in this regard. In service matters, such petition ought not to be entertained, when the body governing the Institution is capable of taking appropriate decisions.

(3)

4. In view of the above, this petition is dismissed.

**(ARUN R. PEDNEKER, J.)**

**(RAVINDRA V. GHUGE, J.)**

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