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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11129 OF 2022

Arvind Balaram Ambavkar & Anr. ... Petitioners
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. Sagar Talekar i/by Mr. Dinesh C. Patankar for the Petitioners.
Mr. V. M. Mali, AGP for the State.

**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.
DATE : 22nd SEPTEMBER, 2022**

P.C. :-

. The petitioners assail the order of the year 2018 thereby rejecting the proposal sent by the Institution for demotion of respondent no.4. The Education Officer did not approve proposal of the Institution demoting the respondent no.4. The said order is not assailed by the Institution. The petitioners claim themselves to be the members of the said Trust/Society and are now challenging it after four years. The respondent no.4 is superannuated and on the day he was superannuated, he was working as a Headmaster. The retiral benefits are also paid to respondent no.4 as a Headmaster. The same is also not disputed by the petitioners.

2. There is no resolution passed by the respondent no.6 - society to challenge the order of the Education Officer rejecting the proposal sent by the Institution.

3. The learned counsel for the petitioners submits that there is a dispute amongst the members of the Management. It would be for the Institution to challenge the order of the Education Officer. If the Institution would have challenged the order, we may have considered the case on its merits.

4. In absence of any authority given to the petitioners to file the present writ petition nor any resolution on behalf of the Institution and also for the aforesaid reasons, we not inclined to entertain the petition on merits.

5. Writ Petition is accordingly disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]