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

968 WRIT PETITION NO.2934 OF 2022

**SIDHANATH RAOSAHEB MANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....

Mr S. S. Shinde, Advocate for petitioner;
Mr S. K. Tambe, A.G.P. for respondent Nos.1 & 2

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 24th February, 2023

PER COURT:

1. The petitioner prays for issuance of a Writ of Mandamus under Article 226 of the Constitution of India, to direct a Private Management Trust, to fill up a post of a 'Clerk'. Since respondent No.3 would not fall within the definition of the 'State' under Article 12 of the Constitution of India, and since a right to be considered for promotion, is not a fundamental right, a Writ cannot be issued against a Private Society.
2. This petition is, therefore, disposed off, with liberty to the petitioner to pursue the Management and/or the Education Officer.

(SANJAY A. DESHMUKH, J.)
sjk

(RAVINDRA V. GHUGE, J.)