

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

918 WRIT PETITION NO.4519 OF 2022

**AJAY AVADHBIHARI GIRI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Panpatte V.S.
AGP for Respondents/State : Mr. S.G. Sangle
...

**CORAM : RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.
DATE : 25th January, 2023**

PC. :-

1. The petitioner desires that this Court should invoke its writ jurisdiction under Article 226 and issue a Mandamus against a private trust so as to transfer the petitioner from the unaided to the aided category.

2. Considering Article 12 of the Constitution of India and since no fundamental rights of the petitioner are involved, a writ under Article 226 cannot be issued against a private party. This petition, therefore, cannot be entertained.

3. The learned advocate for the petitioner submits that, in the alternative, the representation dated 09.02.2022 pending before respondent no.2 – Deputy Director of Education, Nashik, could be decided.

4. The learned AGP submits that the representation would be considered by following the due procedure laid down in law and a decision could be rendered thereon, within a time frame as directed by the High Court.

5. In view of the above, this petition is disposed off. Considering the alternate prayer, we expect respondent no.2 to respond to the representation dated 09.02.2022 and by following the due procedure laid down in law and upon considering the stand of all stake holders, pass a reasoned order on the said representation, on or before 31.03.2023.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]