

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

WRIT PETITION NO.9437 OF 2023

**UTTAM GOVIND SURWASE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Shinde Shrikishan S.
AGP for Respondents 1 and 2/State : Shri S.K. Tambe
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 24th August, 2023

Per Court :-

1. The Petitioner prays that the private school be directed to transfer the Petitioner from Chinchpur (Dhage), Taluka Bhoom to Paranda, Taluka Paranda.

2. There can be no debate that a Writ of Mandamus cannot be issued by this Court to a private entity, which is not a “State” under Article 226 of the Constitution of India and when no public duty is cast on the said Authority. Respondent No.3 is a private management. Public duty to transfer the Petitioner on his request, is not cast on it.

3. **This petition**, therefore, cannot be entertained and **the same is disposed off.**

4. We may only call upon the concerned Education Officer to use his good office and try to resolve the problems of the Petitioner since he submits that his father is unwell and he resides at Paranda.

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)