

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

951 WRIT PETITION NO. 9454 OF 2023

RAMESHWAR VINAYAKRAO ATOLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Kedar Shrimant Ravsaheb
Addl. GP for Respondents : Mr. P.S. Patil
...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 02 AUGUST 2023

PER COURT :

The petitioner who is a terminated teacher from the respondent nos. 5 and 6, is objecting to the order passed by the authorities for releasing the grant-in-aid, by referring to government circular dated 03 July 2002, which *inter alia*, directs the authorities, Education Officers and Divisional Deputy Directors of Education not to release the grants unless they ensure that employees have not been illegally terminated to accommodate their own kith and kin.

2. Learned Advocate for the petitioner submits that precisely the object of the circular is being defeated. The petitioner has been illegally terminated ignoring the circular. The order has been passed on 23 March 2023, releasing the grant in spite of his protests having been lodged with the authorities, since the year 2022.

3. Admittedly, the petitioner had challenged his order of termination in a statutory appeal under Section 9 of Maharashtra

Employees of Private School Regulation Act, 1977. It has been dismissed and he has challenged that order before this Court.

4. We are of a considered view that the petitioner does not have any *locus standi*, more so, when he was terminated and his appeal was also dismissed albeit, the challenge to that decision has been pending with this Court and there is no stay or interim relief.

5. We need not go through the reasons quoted in the circular dated 03 July 2002. We are only concerned with the fact that when the authorities have found that the institutes are entitled to receive the grants, it would be for the benefit of not a specific individual. Even if the petitioner has his own grievance, in our considered view, he does not have a *locus standi* to oppose the release of grants by resorting to this circular dated 03 July 2002. In fact, if and when and if at all the petitioner is re-instated, he would derive the benefit under the very same order releasing the grant-in-aid.

6. It appears that the petition is prompted by ulterior motive to some how create an obstacle in the Management in receiving the grant.

7. Writ Petition is dismissed.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]