

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

WRIT PETITION NO.11948 OF 2017

The School Managing Committee
of Zilla Parishad Primary School,
Sanja Taluka and Dist. Osmanabad
through President
Bhalchandra Babruwan Mohite

... **PETITIONER**

VERSUS

1. The State of Maharashtra
through Secretary,
Department of School Education,
Mantralaya, Mumbai-32
2. Director of Education (Primary)
Maharashtra State, Pune
3. Deputy Director of Education,
Latur Region, Latur
4. Chief Executive Officer,
Zilla Parishad, Osmanabad
5. Education Officer (Primary),
Zilla Parishad, Osmanabad
6. President,
Vidya Vikas Shikshan Prasarak
Mandal, Tugaon (Dhoki),
Tq.& Dist. Osmanabad

... **RESPONDENTS**

...

Advocate for Petitioner : Mr. Panpatte V.S.
A.G.P. for respondent/State : Mr. A.S. Shinde
Advocate for respondent No.6 : Mr. S.P. Koli
Advocate for respondent Nos.4 and 5 : Mr. N.J. Patil

...

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

DATE : 10.10.2023

PER COURT :

Heard both the sides including the learned advocate for the
respondent No.6.

2. The petitioner which is a School Managing Committee of a Zilla

Parishad Primary School being run at Sanja District Osmanabad has been praying that the order dated 18.09.2017 passed by the respondent No.5 – Education Officer (Primary) withdrawing the permission granted to it to conduct 8th Standard be quashed and set aside and to restore the permission granted to it on 25.05.2017.

3. The learned advocate for the Zilla Parishad tenders across the bar a copy of the communication dated 05.12.2017 addressed to the Headmaster of the petitioner's school by the Education Officer (Primary) – respondent No.5 mentioning that pursuant to the directions of the Chief Executive Officer, the petitioner's school has been permitted to start 8th Standard.

4. The learned advocate for the respondent No.6 vehemently submits that in fact, its school would be adversely affected if the permission is granted to the petitioner to start the 8th Standard.

5. We are not concerned with the interest of the respondent No.6 which cannot be granted any relief in this petition. Going by the prayer made in the petition, the aforementioned communication which is dated 05.12.2017, which is marked 'X' for the purpose of identification, the petition has become infructuous and is disposed of.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)