

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 12460 OF 2022

Virendra Sitaram Sharma and others. ... Petitioners.
V/s.
State of Maharashtra and others. ... Respondents.

Mr.Gautam Pyarelal for the Petitioners.
Mr.N.K.Rajpurohit, AGP for the Respondent- State.

CORAM : NITIN JAMDAR, ACJ AND
SANDEEP V. MARNE, J.

DATE : 9 June 2023.

P.C. :

Heard the learned counsel for the parties.

2. The Petitioners seek a direction to Respondent Nos.1 and 2 to close down Respondent No.4- School. There are 150 students currently taking education in the said school.

3. The learned counsel for the Petitioners states that a notice has already been issued to Respondent No.4- School by the Education Officer, Thane Municipal Corporation on 30 June 2022. He states that still no action has been taken in this regard.

4. We direct Respondent No.2- Education Officer, Thane Municipal Corporation to take the notice dated 30 June 2022 to its logical end at the earliest after following the proper procedure and giving adequate opportunity to the parties. If the Education Officer concludes that the notice issued on 30 Jun 2022 is justified, necessary action be taken within a period of two months. Since Respondent No.4- School is not represented before us, we make it clear that the action would be taken as per the governing procedure and after following the principles of natural justice. We also clarify that this direction does not mean that we have concluded that the issuance of notice was justified.

5. Accordingly, with the aforesaid observations, writ petition is disposed of.

SANDEEP V. MARNE, J.

ACTING CHIEF JUSTICE