

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 96/2023

(DEVIDAS LAXMANRAO SHIRBHATE & ANOTHER **VERSUS** ASHOK SHIKSHAN SANSTHA &
ANOTHER)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri P.S. Patil, counsel for the petitioners.

Shri A.M. Deshpande, In-Charge Government Pleader for the R-3.

CORAM : A. S. CHANDURKAR AND MRS.VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 09, 2023.

It is the case of the petitioners who are the members of Ashok Education Society, Ashok Nagar, Dhamangaon Railway that the services of the respondent no.2 who was holding the post of Principal came to be suspended pursuant to registration of an offence against him on 08.08.2020. The order of suspension however came to be revoked by the President of the society on 22.08.2022. It is urged that without there being any authority with the President, the order of suspension has been revoked. Reliance is sought to be placed on the communication issued by the Office of the Joint Director of Higher Education, Amravati Division, Amravati requiring the President of the society to take action against the respondent no.2.

After hearing the learned counsel for the parties, we find that the society through its President has revoked the order of suspension after a period of fifteen days. It appears that there are two groups within the society. While one group is in favour of revoking the suspension, the present petitioners are desirous of restoring the order of suspension. In this view of the matter, since there are two groups of trustees of the society and the proceedings relating to those disputes are pending with the learned Joint Charity Commissioner, we do not find it appropriate to entertain the writ petition. The petitioners are at liberty to approach the learned Joint Charity Commissioner, Amravati Division, Amravati.

Keeping all the questions raised open, the writ petition is disposed of as not entertained. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)

APTE