

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8370 OF 2021

Shikshan Prasarak Mandal Thru. Secretary ...Petitioners
And Ors.

Versus

The Education Officer (secondary) Zilla ...Respondents
Parishad Solapour And Ors.

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NITIN
CHAVAN

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Mr. I.M. Khairdi for the Petitioners.
Ms. R.A. Salunkhe, AGP for the Respondent Nos. 1 to 3/State.
Mr. Prasad Kulkarni for Respondent Nos. 4 and 5.

**CORAM : NITIN JAMDAR AND
M.M. SATHAYE, JJ.
DATE : 4 APRIL 2024**

P.C. :

. Heard learned counsel for the parties.

2. The Petitioners have challenged the communication/order dated 24 August 2021 passed by the Deputy Director of Education, Pune. It is not necessary to detail all the facts of the controversy as the dispute before us is narrow. According to the Petitioners, the order dated 24 August 2021 has directed cancellation of approval of Petitioner Nos. 3 to 8. According to the learned counsel for the Respondent Nos. 4 and 5, those who have filed complaints, this is not a final order.

3. It is the Petitioners' contention that the order for cancellation of approval is already issued and only procedural formalities are remain. In that context, we had called upon the learned AGP to inform us as to whether the communication dated 24 August 2021 is a final order or not.

4. The learned AGP on instructions states that this is not a final order passed by the Deputy Director.

5. If it is not a final order and final order is yet to be passed, then it is not necessary for us to intervene at this stage. The Deputy Director before passing a final order will give adequate opportunity to the Petitioners and Respondent Nos. 4 and 5, the complainants and thereafter pass a reasoned order.

6. We keep all contentions of the parties open including that of jurisdiction of the Deputy Director. If any adverse order is to be passed against the Petitioners, the same may not be given effect to for a period of two weeks. The observations made in the communication dated 24 August 2021 be considered as a *prima facie* opinion of the Deputy Director subject to hearing the Petitioners and Respondent Nos. 4 and 5.

7. Writ Petition is accordingly disposed of in above terms.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)