



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14866 OF 2023

Head Master Mukhbadhir Nivasi Shala
by Janjagruti Much and another

.....Petitioners

Vs.

Vasant Babasaheb Patil and anr

.....Respondents

Mr. Shrishail Sakhare for the petitioners

Mr. A. M. Kulkarni i/b Mr. Sachin K. Hande for respondent no. 1

Ms. S. S. Bhende, AGP for the State

CORAM : GAURI GODSE, J.

DATE : 5th MARCH 2024

P.C.

1. Learned counsel for the petitioners seeks leave to withdraw the petition with liberty to take appropriate action against respondent no. 1 by following the Government Resolution dated 18th July 2018 which is annexed at page 126 of this petition.

2. Leave granted with liberty as prayed. Writ petition is therefore disposed of with liberty to initiate proceedings as permissible under the

Rules prescribed by Government Resolution dated 18th July 2018.

3. In view of the withdrawal of the writ petition, learned counsel for the petitioner submits that clarification be issued regarding directions issued in clause 4 of the operative part of the impugned order. He submits that no action for appointment of Administrator be initiated without issuing notice to the petitioners and without an opportunity of hearing.

4. Learned counsel for respondent no. 1 submits that in view of withdrawal of the petition, petitioners are at liberty to comply with clause 3 of the operative part of the impugned order.

5. In view of the withdrawal of the writ petition, it is clarified that in the event any action for appointment of Administrator is to be initiated against the petitioners, appropriate notice be given to the petitioners and no action be taken without giving an opportunity of hearing to the petitioners.

6. Since the petitioners have withdrawn the petition with liberty as aforesaid, the petitioners shall take necessary steps for compliance of

the operative part of the impugned order contained in clause 3. Needless to record that respondent no. 2 shall take necessary steps for compliance of the said directions.

7. Writ petition is disposed of in above terms.

8. Needless to record that all contentions of all parties regarding action, if any, proposed in terms of the aforesaid Rules, are kept open.

[GAURI GODSE, J.]