

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8381 OF 2024

Deepali Nilkhant Patil ... Petitioner

versus

The Chairman,
Parashari Vidya Prasarak Sanstha
Mukhed and Others ... Respondents

.....

Mr. Anuj Tiwari for the Petitioner.

Ms. R.A. Salunkhe, AGP for the Respondent - State.

.....

**CORAM: NITIN JAMDAR AND
M.M. SATHAYE, JJ.**

DATE: 19 June 2024

P.C.

Heard the learned Counsel for the parties.

2. The Petitioner, who was working as a Superintendent in Ashram school run by Respondent No.1, is placed under suspension by the impugned order dated 29 April 2024.

3. The learned Counsel for the Petitioner firstly submitted that neither any show cause notice nor any opportunity of hearing was given prior to placing the Petitioner under suspension. There is no merit in this submission. The Petitioner is placed under suspension

pursuant to a disciplinary inquiry. Show cause notice is of 29 April 2024 refers to various allegations, including that of offences under the Indian Penal Code, the Protection of Children from Sexual Offences Act, 2012 and Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. If, in these circumstances, the Respondent -Management has found it necessary that during the inquiry to keep the Petitioner away from teaching the students, it cannot be considered as illegal or perverse. The learned Counsel submitted that prior to placing the Petitioner under suspension, no permission of the Education Officer is required as envisaged under the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 was taken. It is not pointed out as to how this particular Rule is applicable to the Petitioner's case, when the Petitioner is working in a Ashram School.

4. In these circumstances, keeping in mind the limited scope of scrutiny under writ jurisdiction against the orders of suspension, the writ petition is rejected.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)