



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

WRIT PETITION NO.5228 OF 2023

People's Education Society, through its Secretary

Vs.

The State of Maharashtra, through its Secretary for School Education and
Sports Department, Mantralaya, Mumbai and others

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

Court's or Judge's orders.

Shri S.M. Vaishnav, Advocate for petitioner.

Shri N.R. Patil, AGP for respondents.

CORAM : VINAY JOSHI & M.W. CHANDWANI JJ.

DATE : JULY 25, 2024.

Heard.

2. The petitioner-Society is a minority institution running a secondary school from 5th to 10th Standard. On retirement of Headmaster Shri Akil Ahmed Abdul Gaffar on 30.06.2021, the school has appointed one Shri Mohd Soheli Anwar as Headmaster w.e.f. 01.07.2021. The proposal for grant of approval to the appointment of Shri Mohd Soheli Anwar was forwarded but the decision was not taken for a considerable period. In the meantime, for smooth functioning of the school a proposal was forwarded to confer the financial and administrative powers to senior-most teacher Dr. Naziya Tarannum, which was approved by the respondent-Education Officer.

3. It is petitioner's contention that though the proposal for approval to the appointment of new Headmaster Shri

Mohd Soheli is pending, the Education Officer vide impugned communication dated 31.07.2023 has discontinued financial and administrative powers given to teacher Dr. Naziya Tarannum for the reason that regular proposal for approval of Headmaster was not complete as per requisite norms.

4. It emerges during the course of hearing that alongwith proposal of Shri Mohd Soheli Anwar requisite documents have not tendered. By way of rejoinder, the petitioner expressed readiness to complete all the shortfalls including submission of requisite documents to the Education Officer for its consideration.

5. The petitioner undertakes to submit new documents within two weeks to the Education Officer on which appropriate decision shall be taken within four weeks thereafter.

6. Interim arrangement made by this Court vide order dated 18.08.2023 about financial and administrative powers shall remain in force till Education Officer decides the proposal.

7. In view of above, the petition stands disposed of. No costs.

(M.W. CHANDWANI, J.)

(VINAY JOSHI, J.)

Wagh