



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

WRIT PETITION NO. 5485 OF 2023

(Smt. Swati Atishsingh Khagar Vs. State of Maharashtra and others)

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

Court's or Judge's orders

Mr. P.N. Shende, Advocate for petitioner.
Mr. A.D. Mohagaonkar, Advocate for respondent Nos. 6 and 7.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 28-11-2024

Mr. Shende, the learned counsel for the petitioner is aggrieved by running of a school by respondent No. 6 in front of the premises from which the petitioner is running a Beer Bar. The petition is based upon an apprehension, that on account of the shifting of the school, an objection may be raised to running of Beer Bar by petitioner which is in front of the school. It is contended that since the Beer Bar being run by the petitioner is earlier in point of time, the shifting of the school cannot be considered to be a detriment to the continuation of the same.

2. Mr. Mohagaonkar, learned counsel for respondent No.6 has invited our attention, to the pendency of an application for shifting made by the respondent No. 6 to the Education Officer (Primary) on 18.10.2019 (page 46) and payment of the amount of Rs. 20,000/- for the consideration for such shifting. It is therefore, for the Education Officer (Primary) to take appropriate action upon the said application in terms of the procedure and rules applicable. Mr. Mohagaonkar, learned counsel for respondent No. 6, upon instructions, makes a statement that respondent No. 6 has not made any complaint

regarding the functioning of the petitioner in front of the school of respondent No. 6 and would not in future also do so, which actually takes care of the apprehension of the petitioner.

3. We therefore, do not see any reason to interfere in the impugned communication in view of the aforesaid statement. The petition is dismissed.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

Belkhede