



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

WRIT PETITION NO. 6524 of 2024

Harshwardhan Shobhatai Babarao Godghate

vs.

The State of Maharashtra and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

The petitioner-in-person.

Ms Prachi Joshi, Assistant Government Pleader, for respondent nos. 1 & 2.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 12th DECEMBER, 2024

Heard.

2. Petitioner, who appears in person, is a lawyer by profession claims that his both the kids are taking education in the respondent nos.5 and 6-Schools managed by the respondent no.4-Society. It is claimed that religious lessons are being imparted in the Schools which are contrary to the scheme provided under Article 28(1) of the Constitution of India and that being so, it is necessary to issue an order of restraint in the form of direction to the respondent nos. 1, 2 and 3 thereby directing the respondent nos. 4, 5 and 6 not to impart such lessons in the Schools.

3. We have invited attention of the petitioner, who is a lawyer by profession, to the Article 28(3) of the Constitution.

4. We are of the view that it is open for the petitioner to communicate the respondent nos. 4, 5 and 6 about his wishes of not to administer the religious education to his kids. In case, if such request is made by the petitioner, the respondent nos. 3 to 6 are duty bound to consider and deal with the same in the light of the constitutional mandate provided under Article 28(3) of the Constitution.

5. In this background, we deem it appropriate to dispose of the writ petition with liberty to the petitioner to take recourse to the constitutional mandate provided under Article 28(3) of the Constitution. Request, if so made, be considered by the respondent nos. 3, 4, 5 and 6 in the light of the mandate provided under Article 28(3) of the Constitution.

6. The writ petition accordingly stands disposed of. No costs.

(MRS.VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.