



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

WRIT PETITION NO. 1425 OF 2024

nji Madhavraoji Bele Vs The Education Officer (Sec.), Zilla Parishad, Nagpur and another)

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

Court's or Judge's orders

Mr. S.D. Abhyankar, Advocate for petitioner.

Mr. A.M. Kadukar, Assistant Government Pleader for respondent Nos. 1 and 2.

**CORAM : BHARATI DANGRE &
ABHAY J. MANTRI, JJ.**

DATED : 25-09-2024

Mr. Abhyankar, learned Counsel for the petitioner restricts his grievance to a part of the order passed by respondent No. 1 Education Officer (Secondary), Zilla Parishad, Nagpur on 19.12.2023 being clause 3 of the said order.

2. In the wake of the disputes existing in the office bearers of Gram Sudhar Shikshan Prasarak Mandal, Tahsil Narkhed, with reference to the communication from the Charity Commissioner dated 9.11.2023, the Education Officer, in the best interest of the School has appointed Mr. Shyam Sonare, Assistant Teacher, as per his seniority to discharge the duties of the Headmaster as in-charge. The in-charge Headmaster is also directed to regal himself out of his identification through the banner which is put in the chamber of the Headmaster. The third direction which hurts the petitioner when the Education Officer directed that the Nanaji Bele Group and the members of the Nanaji Bele Group and Mr. Tatte – Phofse Group shall not enter in the premises of the school projecting to be a members of office bearers though their entry in the School as an ordinary person is not prohibited subject to they adhering to the Code of

Conduct, imposed by the School.

3. We find sufficient substance in the submission of the learned Counsel for the petitioner as according to us, the Education Officer has exceeded his jurisdiction in imposing such a condition as he can not restrict movement of any person but at the same time what he intended to convey was that by projecting themselves as member or the office bearer of the Society, the members of these two faction cannot create any impediment in the smooth functioning of the administration.

4. By offering the clarification to the aforesaid aspect, we dispose of the petition and direct that the members of these two factions shall not, in any way, meddle with the administration of the School and let the Headmaster, who has been entrusted with the financial and administrative powers, discharge his duties in a smooth manner.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)

R.S.Belkhede, PA.