

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

PUBLIC INTEREST LITIGATION NO.67 OF 2019

Brijmohan s/o Dhirajprasad Mishra

...PETITIONER

VERSUS

The State of Maharashtra
and others.

...RESPONDENTS

...

Mr.Sachin S. Deshmukh Advocate for Petitioner.
Mr.P.S. Patil, A.G.P. for Resp. Nos.1 to 3.

...

**CORAM: P.B. VARALE AND
R.G. AVACHAT, JJ.**

DATE : 19TH JUNE, 2019

ORDER :

1. Heard Mr. Sachin S. Deshmukh, learned counsel appearing for the Petitioner. The cause espoused in the present Public Interest Litigation is of non-action of the State Government. Our attention was invited by Mr. Deshmukh, the learned

counsel to the document placed on record, namely, the refusal to grant approval to the private primary schools. The list placed on record along-with communication dated 15th November, 1988 at Exhibit-B refers to 32 schools. Then Mr. Deshmukh, learned counsel submitted that as there was an out-cry of misdeeds, the State Government decided to conduct an enquiry. Accordingly, enquiry committee was so constituted.

2. Mr. Deshmukh, learned counsel then invited our attention to the communication dated 20th March, 2018. The perusal of the enquiry report show that the committee, going through the record, prima facie found that the institutes have indulged in act of misdeeds whereby the State Government was subjected to financial losses. The Enquiry Officer and the Education Extension Officer, Panchayat Samittee, Nanded requested the Government to accept the report and to take

further steps. Mr. Deshmukh, the learned counsel submitted that though the communication along with the enquiry report is forwarded in the year 2018, the State authorities are sitting idle over the report till the date of filing of the Petition.

3. We direct the Petitioner to deposit an amount of Rs.10,000/- (Rupees Ten Thousand) within two weeks from today, so as to show his bonafides.

4. Considering the grievance raised in the Petition, issue notice, at this stage, only to Respondent Nos.1, 2 and 3 making the same returnable on 31st July, 2019. The learned A.G.P. waives notice for Respondent Nos.1 to 3.

[R.G. AVACHAT, J.]

asb/JUN19

[P.B. VARALE, J.]