

**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 Maharrashtra & ors RESPONDENTS

Mr Sachin S. Deshmukh, Advocate for the petitioner;
Mr S.P. Sonpawale, A.G.P. for respondent Nos. 1 to 3

**CORAM : PRASANNA B. VARALE &
R.G. AVACHAT, JJ.**

DATED : 5th FEBRUARY, 2020

ORAL ORDER:

Heard Mr. Deshmukh, learned Counsel for the petitioner.

2. By order dated 19th June, 2019, notice is issued to respondent Nos. 1, 2 and 3, making the same returnable on 31st July, 2019. The issue raised in the present public interest litigation is also referred to in our order dated 19th June, 2019. The petitioner was directed

to deposit amount of Rs.10,000/- to show his *bona-fides* and same is also deposited in this Court. Even after lapse of eight months, no reply is filed on behalf of respondent Nos. 1, 2 and 3, who are State authorities, namely, The Secretary, School Education Department, Mantralaya, Mumbai, The Commissioner of Education, Maharashtra State, Pune and the Divisional Deputy Director of Education, Latur Division, Latur.

3. On a query put to learned A.G.P., he submitted before this Court that the order of this Court dated 19th June, 2019 was immediately communicated to respondent Nos. 1, 2 and 3 vide communication dated 19th June, 2019 along with e-mail being forwarded to the authorities calling upon them to depute responsible officer to collect the copy of the petition memo and to provide instructions/para-wise comments for preparation and filing of the affidavit in reply on or before 17th July, 2019.

3. The casual approach of the respondents-

authorities prompt us to impose costs of Rs.10,000/- on the State of Maharashtra and we direct that the costs of Rs.10,000/- to be deposited in this Court within two weeks from today. We further direct respondent Nos. 1, 2 and 3 to file their respective affidavit in replies with an explanation as to why the communication forwarded by the office of Government Pleader is not responded well within time and affidavit in replies also to provide response to the contentions raised in the present public interest litigation. Affidavit in replies be filed within three weeks from today.

4. Post the public interest litigation for further consideration on 25th February, 2020.

Authenticated copy of this order be supplied to learned A.G.P. and learned A.G.P. to communicate this order forthwith to the concerned.

[R.G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]