



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

WRIT PETITION NO. 4400 OF 2026

Balkrishna Vidya Mandir, Nagpur thr. its Headmaster. Vs. The Collector Nagpur and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr P.N. Shende, Advocate for the petitioner.
Mr. S.S. Hulke, AGP for the State.

CORAM : RAJ D. WAKODE, J.
DATE : 29.05.2026

- (1) Heard Mr. P.N. Shende, learned counsel for the petitioner.
- (2) The petitioner school has approached this Court through its Headmaster pointing out the grievance against the landlord of the plot on which the aforesaid petitioner school is being run by the management.
- (3) The aforesaid school started its functioning at village Mhasala, District Nagpur in June, 2024, after being permitted by the State Government from the academic session 2025-26. On 8.04.2026, the plot owner has issued legal notice to the petitioner's-school directing them to vacate the school premises, to which the reply was submitted by the petitioner. However, the plot owner locked the main entrance gate of the petitioner school and prohibited everybody, including staff and the students of the school from entering into school premises. Thus, the petitioner made a complaint to the respondent No.2-Education Officer

(Secondary) Zilla Parishad Nagpur, who considered the grievance of the petitioner and directed the Block Development Officer, Panchayat Samittee, Kamptee to conduct an inquiry.

(4) The Block Development Officer, Panchayat Samittee conducted inquiry and submitted its report on 30.04.2026. The said report is at record page No.36 (Annexure-5). The aforesaid report clearly reveals that there are more than 265 students studying in the school right from nursery to standard 7th. The aforesaid report also reveals that the conduct of the plot owner who is disturbing the management of the school and also substantiates the fact that he has locked the main gate of the school thereby prohibiting the students from entering into the school. The Block Development Officer has requested respondent No.2- Education Officer (Secondary) Zilla Parishad, Nagpur to take necessary action. Such report was submitted on 30.04.2026 and even after passage of more than one month now, no action has been initiated by respondent No.2.

(5) Learned counsel for the petitioner submits that as per Section 8 of the Right of Children to Free and Compulsory Education Act, 2009 it is the bounden duty of the respondent authorities and more particularly, respondent No.2 to ensure and monitor the admission, attendance and completion of elementary education of the admission and thus, respondent No.2 has failed in performing his statutory duty.

(6) In view of above, issue notice to the respondents, returnable on 09.06.2026.

(7) Mr. S.S. Hulke, Learned AGP waives service of notice on behalf of respondent Nos.1 and 2/State.

(8) In the meantime, respondent No.2-Education Officer (Secondary) Zilla Parishad, Nagpur is directed to look into the report dated 30.04.2026 submitted by Block Development Officer, Panchayat Samittee, Kamptee which is at record page No.36 (Annexure-5) and to act upon as per the provisions in law for doing needful in the interests of students.

(RAJ D.WAKODE, J.)

Manisha