

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5093 OF 2017

Nav Maharashtra Shikshan Prasarak Mandal ...Petitioner
vs.
The Education Officer (Primary) and Ors. ...Respondents

Mr. I.M. Khairdi, for the Petitioner
Mr. B. Samant, AGP for the Respondent No. 4-State.

**CORAM : SHANTANU S. KEMKAR &
A. M. BADAR, JJ.**

DATE : APRIL 27, 2017

P.C.:

- . Not on board. Upon mentioning taken on board.
2. Leave to amend the cause title so as to delete the name of Respondent No. 3 is granted. Amendment to be carried out forthwith.
3. Heard learned counsel for the parties on the question of admission. Issue notice to the Respondents. The learned AGP waives service of notice on behalf of Respondent No. 4. Steps of service of notice on Respondent Nos. 1, 2, 5 and 6 be taken within two months.

4. On going through the impugned order passed by Respondent No. 1, we find that Respondent No. 1 has misconstrued the recommendation made by the Lokayukta vide letter dated 10th January, 2017. In the circumstances, we stay the operation of the impugned order dated 7th April, 2017 (Exhibit “D”) passed by the Respondent No. 1. However, it will be open for the State to proceed further in terms of the direction issued by the Lokayukta in accordance of the law.

5. Needless to say that the decision if any, as may be taken by the State will be subject to outcome of this Petition.

6. List the matter as per C.M.I.S. date.

(A.M. BADAR, J.)

(SHANTANU S. KEMKAR, J.)