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WP-43662-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA,
ACTING CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 22nd OF JUNE, 2026

WRIT PETITION No. 43662 of 2025

MANGGI BAI KOLE AND OTHERS

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri Munendra Singh and Ms. Vineeta Soni - Advocate for
petitioner.

Shri Vivek Sharma - Deputy Advocate General for respondent/State.
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ORDER

Per. Vivek Rusia, Acting Chief Justice

By way of present Public Litigation Interest, the petitioner is seeking
following reliefs:-

*"A. It is, therefore, prayed that the authorities concerned be directed to
take appropriate action against the school being run by respondent No. 8, in
the interest of justice.*

*B. It is further prayed that the recognition granted to the said school be
withdrawn/cancelled and that the students studying therein be shifted to other
recognized schools, in the interest of justice.*

C. Any other order or direction which this Hon'ble Court may deem fit



and proper in the facts and circumstances of the case may also kindly be passed in the interest of justice."

The present Public Interest Litigation has been filed by the petitioners, claiming to be social activists engaged in activities concerning public welfare and rural development in District Umaria. The grievance of the petitioners pertains to a private school, namely "Devarsi High School", run by respondent No. 8 in Village Kotari, District Umaria. According to the petitioners, the school lacks basic infrastructural facilities required for running an educational institution. It is alleged that adequate seating arrangements, toilets, drinking water facilities, blackboards, safety measures, electricity, and other essential amenities are not available for the students.

The petitioners submitted representations before the competent authorities raising the aforesaid grievances. Pursuant thereto, an enquiry was conducted by the Block Education Officer, Manpur, District Umaria. As per the enquiry report dated 31.07.2025, the condition of the school building was found to be unsatisfactory and unsafe. The report further recorded deficiencies relating to teaching staff, playground, and other infrastructural facilities, and accordingly recommended that appropriate action be taken by the District Education Officer.

The petitioners have also placed reliance upon a spot inspection report (Mouka Panchnama) dated 29.07.2025, wherein it was noted that toilet facilities were not available in the school and students were compelled to go outside the school premises to attend to the call of nature. It is further alleged that the school does not have adequate parking space and that the vehicles



and bicycles of students are parked outside the school premises. It is stated that the petitioners had earlier approached this Court by filing W.P. No. 38556/2025, which was dismissed as withdrawn with liberty to pursue the pending representation before the competent authorities. The petitioners further submit that a notice was issued to the Principal of the school seeking an explanation regarding the alleged deficiencies. Since no response was submitted within the stipulated period, the recognition of the school is stated to have been placed under suspension. On the basis of the aforesaid allegations and material, the petitioners have filed the present petition seeking appropriate action against respondent No. 8 and cancellation of the recognition granted to the school.

It is an admitted fact that the petitioners are the Sarpanch and Up-Sarpanch of Gram Panchayat Kotari, Janpad Panchayat Manpur, District Umaria, M.P., where the private school run by respondent No. 8 is situated. There is no Government school in the Gram Panchayat, and the school run by respondent No. 8 is the only educational institution operating in the area.

Certain discrepancies were found by the Committee constituted by the District Education Officer, District Umaria, which are reproduced below:

1. जिस भवन में विद्यालय संचालित है वह छप्पर वाला है एवं उसमें लगी हुई बल्लियां सड़ी हुई एवं दीमक लगी हुई है, जिससे कि कभी भी दुर्घटना घट सकती है।
2. निरीक्षण के दौरान कुछ कक्षाओं में यह पाया गया कि अध्यापन कक्ष छोटे हैं जिसमें छात्र संख्या के मान से अधिक बच्चों को बैठाया जा रहा है जिससे कि बच्चों को बैठने में असुविधा हो रही है।
3. छात्र / छात्राओं हेतु शौचालय की जो व्यवस्था की गई है वह अस्थायी है। चूँकि हाई स्कूल की छात्र / छात्राएं बड़ी हो जाती हैं जिनके लिए विद्यालय स्तर पर जो व्यवस्था की गई है वह सुरक्षित नहीं है एवं उनकी मर्यादा के खिलाफ है।
4. शिक्षण कक्ष में ब्लैक बोर्ड तो लगे हैं किंतु देखने पर ऐसा प्रतीत होता है कि उनमें कलर नहीं किया गया है एवं कुछ ब्लैक बोर्ड पर लिखा हुआ बच्चों के समझ नहीं आता है।



5. अंदर शिक्षण कक्षों में काफी अंधेरा पाया गया। विद्यालय भवन एवं शिक्षण कक्षों में बिजली की अस्थाई व्यवस्था की गई है (फिटिंग नहीं है) जिससे कि छात्रों को कभी भी खतरा हो सकता है।
6. विद्यालय परिसर में बच्चों के पानी पीने की उचित व्यवस्था नहीं है। बच्चे विद्यालय परिसर के बाहर सार्वजनिक हैण्ड पंप में पानी पीते हैं, यह स्थिति चिंताजनक है।
7. विद्यालय परिसर में खेल मैदान का अभाव है।
8. विद्यालय में विषयवार के मान से शिक्षकों की कमी है।
9. विद्यालय परिसर में पार्किंग की कोई व्यवस्था नहीं है। बच्चों की साईकिल विद्यालय मेनगेट के बाहर गाँव के मुख्य सड़क पर खड़ी थी।
10. विद्यालय में कार्यरत शिक्षकों को मानदेय संस्था प्राचार्य द्वारा नगद प्रदान किया जाता है जो कि नियमानुसार नहीं है।
11. संस्था प्राचार्य / समिति से विद्यालय की मान्यता एवं समिति के संबंध की जानकारी मौके पर चाही गई जिसे उन्होंने प्रदाय नहीं किया। इसके बाद जाँच दिनांक से 02 दिवस के भीतर जानकारी प्रस्तुत करने हेतु कहा गया किंतु उनके द्वारा आज दिनांक तक जानकारी प्रदाय नहीं की गई जिससे विद्यालय की मान्यता एवं समिति के संबंध में संदेहास्पद स्थिति बनी हुई है।

The petitioners, being the Sarpanch and Up-Sarpanch of Gram Panchayat Kotari, Janpad Panchayat Manpur, owe a public duty to facilitate education and ensure better civic amenities for the villagers and their children.

Let the Gram Panchayat take up this matter in its General Body Meeting and pass a resolution delineating how these deficiencies can be mitigated and removed with the active assistance and cooperation of the local villagers. Since this is the only school operational within the Gram Panchayat and there is no alternative Government school available, closing down the institution would directly jeopardise the academic future of the local children. Therefore, instead of shutting down or withdrawing the recognition of the private school, constructive and coordinated efforts must be made by all stakeholders to systematically eliminate the highlighted deficiencies in the public interest. There should be a constructive approach



while dealing with PIL by the High Court, and while doing so, even the petitioner can be directed to do certain activities in public interest, which they claim to have done in the past.

Let the petitioners file a report with affidavits showing compliance of the above direction.

PIL is finally disposed of. A copy of this order be sent to the Collector Umariya, District Education Officer Umariya and the CEO of Janpad Panchayat Umariya for compliance.

(VIVEK RUSIA)
ACTING CHIEF JUSTICE

(PRADEEP MITTAL)
JUDGE

Praveen