

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.6578 of 2015

901 CIVIL APPLICATION NO. 6578 OF 2015
IN
WP/5677/2014

HAZRAT SARKAR NANIMA SOCIAL ASSOCIATION NALDURG THRO
ITS SECRETARY KAZI JAVED WAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr.Tripathi Manish P.
AGP for Respondent State:Mr. A.V.Deshmukh
Mr.P.B.Gapat, Adv., for respondent no.3 (original petitioner).

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: August 21, 2015

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PER COURT :-

1. Heard Counsel appearing for the parties.
2. The order dated 30th April, 2015 is passed without prejudice to the rights and contentions of the management - Hazrat Sarkar Nanima Social Association Naldurg, Tq. Tuljapur, Dist. Osmanabad. The said management will have opportunity to put forth its contentions while hearing the present Writ Petition No. 5677/2014 and also the Writ Petition No.11339/2014.
3. In that view of the matter, as the order dated 30th April, 2015, is passed after perusal of the affidavit in reply filed by the Education Officer and so also, as the petitioner is absorbed in the respondent no.3 school and he has joined the duties on 16/11/2013,

agp/-

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(2)

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we do not see any reason to recall the said order. The fact that the petitioner has joined on 16/11/2013, as stated by the Education Officer in his affidavit, is not in dispute.

Hence, application for recalling the said order stands rejected, however, we make it clear that all the contentions on merits in both the writ petitions are left open to be agitated by the parties at the time of hearing the petitions.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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