

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

15 WRIT PETITION NO. 7815 OF 2014

BHAGWAN GANESH AWAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr.Kakade Amol N .
AGP for Respondent State: Mr. S.K.Tambe
Mr.Ghute Patil Kishor J., Adv., for respondent no.2.
Mr. M.L.Dharashive, Adv., for respondent nos. 3 and 4.

...
CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: December 09, 2015

PER COURT :-

1. Heard.

2. The petition is filed with following prayer:

"B. That by issuing writ of mandamus or any other appropriate writ, order or directions in like nature, the impugned termination order dated 23.11.2001 issued by the respondent no.3 may kindly be quashed and set aside with further direction to reinstate the petitioner in service as Assistant Teacher with continuity of service and all consequential benefits within stipulated period of time. "

3. It is not in dispute that alternate remedy is available to the petitioner, to assail the said order of termination. In that view of the matter, we are not inclined to entertain this petition, however, in case the petitioner is advised to avail of the alternate remedy, so as to assail the order of termination, the School Tribunal shall keep in view the subsequent events that occurred after the order of termination while considering the prayer for condonation of delay.

The petition stands rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

agp/-