

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.7888 OF 2012

Upale Rayat Shikshan Prasarak Mandal  
and another

PETITIONERS

VERSUS

Balaji S/o Bhanudas Dhakade  
and another

RESPONDENTS

Mr.S.V.Warad, Advocate for the petitioners.

Mr.R.R.Suryawanshi, Advocate for the respondents.

Mr.U.H.Bhogle, AGP for respondent No.2.

( CORAM : RAVINDRA V. GHUGE, J.)

DATE : 12/03/2015

PER COURT :

1. The petitioners have placed on record copy of the order dated 10/12/2014 passed by the Division Bench of this Court in the case of Balaji Bhanudas Dhakade Vs. The State of Maharashtra and others.

My attention is drawn to paragraph No.4 to 7 of the said order.

2. Mr. Warad, learned Advocate therefore submits that since the petitioner employee has been granted protection by the Division Bench, this petition can be disposed of in terms of the said order as the respondent herein was the petitioner before the Division Bench in WP No.339/2012.

3. Mr.Suryawanshi, learned Advocate for respondent No.1/ employee confirms that he was the petitioner before the Division Bench in WP No.339/2012. His services have been granted protection in the light of paragraph No.7 of the order dated 10/12/2014. His grievance against the petitioner employer therefore does not survive and the petition can be disposed of in terms of the order dated 10/12/2014 passed by the Division Bench.

4. The copy of the order dated 10/12/2014 passed by the Division Bench in WP No.339/2012 is taken on record and marked as "X" for identification.

5. In the light of the statement made by the learned Advocates for the petitioner and respondent No.1, on instructions, this petition is therefore disposed of in terms of the observations made by the Division Bench in order Exhibit "X".

6. Needless to state, in the light of the observations made by the Division Bench in paragraph No.5 and 6 of the order Exhibit X, the impugned judgment of the School Tribunal dated 21/06/2012 in Appeal No.42/2011 loses its effect.

7. Learned AGP submits that in the light of the observations of the Division Bench in order Exhibit "X" and in the light of the passing of this order, he shall communicate to the Education Officer (Secondary), Zilla Parishad, Latur to withdraw the communication dated 11/02/2015.

( RAVINDRA V. GHUGE, J.)