

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9790 OF 2011

Tukaram Kashinath Koli .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Santosh B. Gastgar, Advocate for the Petitioner.
Shri K. G. Patil, Addl. G. P. for Respondent Nos. 1 and 3.
Shri A. N. Nagargoje, Advocate for Respondent Nos. 4 and 5.

**CORAM : S. V. GANGAPURWALA AND
V. L. ACHLIYA, JJ.**

DATE : 19TH JANUARY, 2015.

PER COURT :

. The petitioner assails the order of termination issued to him.

2. Mr. Nagargoje, the learned counsel submits that, the petitioner has remedy U/Sec. 9 of the Maharashtra Employees of Private Schools (Condition of Service) Act before the School Tribunal.

3. Mr. Gastgar, the learned counsel submits that, in view of the judgment of the Full Bench of this Court in a case of **Arun Sonawane Vs. The State of Maharashtra and others**

reported in **2015(1) Mh.L.J. 457**, the protection is granted to those persons who were appointed prior to 2000 and whose claims have been invalidated.

4. Against the order of termination, there is specific remedy provided under the M. E. P. S. Act before the School Tribunal. The School Tribunal can consider all these aspects of the matter and consider the judgment of the Full Bench of this Court in a case of **Arun Sonawane Vs. The State of Maharashtra** referred supra.

5. In the light of the above, the writ petition is disposed of with liberty to the petitioner to avail the alternate remedy. All contentions of respective parties are kept open. The Tribunal while considering the appeal filed by the petitioner shall also consider the time spent in prosecuting the present writ petition. No costs.

[**V. L ACHLIYA, J.]**

[**S. V. GANGAPURWALA, J.]**