

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8690 OF 2009

Bapu Narayan Nirgum

... Petitioner

v/s

The Head Master, Mauli Madhyamik
Vidhyalaya, Sonurli & ors.

... Respondents

None present for both the parties.

CORAM: N.M. JAMDAR, J.

DATED : 20 NOVEMBER 2015

PC.:

On 16 October 2015 the following order was passed:

'The learned counsel for the Petitioner states that the case for prosecuting the Petition may not survive as the Petitioner has now been taken back in service by the Respondent – Management permanently and not subject to the outcome of the Petition. He seeks time to place this fact by way of an affidavit. Copy of the affidavit be served on the Counsel for the Respondents in advance.

2. Stand over to 20 November 2015.'

2 The Petitioner has filed an affidavit dated 23 October 2015 stating that the cause of action in the petition does not survive, the Petitioner has been permanently taken back in service and continued. The order passed on 16 October 2015 was in presence

of learned counsel for the Respondent Nos.1 and 2. None appears on behalf of Respondent Nos.1 and 2 to controvert the assertion made on affidavit. The writ petition is accordingly disposed of in terms of the affidavit filed on 23 October 2015.

(N. M. JAMDAR, J.)