

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

WRIT PETITION NO.2702 OF 2009

Bhagwan Pandurang Shinde. ..Petitioner.
vs.
Secretary, Shri.Swami Vivekanand
Shikshan Sanstha, Kolhapur and ors. ..Respondents.

Mr.S.A.Rajeshirke for the Petitioner.
Mr.Amit Borkar for Respondent Nos. 1 and 2.
Ms.Aparna Vhatkar,AGP. for Respondent No.3.

CORAM : M.S. SONAK, J.
DATE : 10 FEBRUARY, 2015

PC:

Learned Counsel for the parties agree that this petition can be disposed of with the following order.

- a) The order dated 27 July 2006, by which the services of the petitioner came to be terminated with effect from 31 July 2007, is hereby set aside.
- b) The petitioner shall stand reinstated as teacher with effect from 01 February 2015 with continuity of service. However, the petitioner shall not claim or be entitled to any

back wages for the period between from the date of termination and the date of reinstatement. The period shall if permissible be taken into consideration as notional service for the purpose of determining the retiral benefits.

c) The petitioner also records his no objection to reinstatement or transfer in any other school operated by respondent No.1 School Management.

2) In view of the aforesaid agreement by and between the parties, the learned Counsel for the parties record that their shall be no necessity of this Court to set out any separate reasons for issuance of the aforesaid directions.

3) Rule is made absolute in the aforesaid extent.

4) There shall be no order as to costs.

(M.S. SONAK, J.)