

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Letters Patent Appeal No. 233 of 2013

in

Writ Petition No. 1111 of 2011 (D)

[Kishor Kashmirlal Madan Vs. Lokmanya Tilak Mahavidyalaya, Nagpur through
its Principal and ors.]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Shri S. J. Khandalkar, Advocate for appellant
Shri N. D. Thombre, Advocate for respondent nos. 1 and 2
Shri M. K. Pathan, AGP for respondent no. 4

CORAM : B.R. Gavai and P. B. Varale, JJ

DATE : 28-8-2015.

The present appeal challenges the order passed by the learned Single Judge of this Court dated 28-2-2013 thereby dismissing the writ petition. The writ petition was arising out of the order passed by the University and College Tribunal dismissing an appeal filed by the present appellant challenging his termination.

From the record, it appears that the petitioner was appointed as Part Time Lecturer for teaching subject History. It also revealed that prior to petitioner's appointment, respondent no. 5 was already appointed as a Lecturer for teaching subject History. The appointment of the respondent no. 5 was on full time post and was made after following a due selection procedure. The appellant's services came to be terminated since the workload reduced and there was no accommodation for his

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appointment.

The Joint Director, respondent no. 4 has filed an affidavit thereby giving the details of workload available with the respondent no. 1, College. The affidavit clearly stated that neither at the relevant period nor presently, workload is available to accommodate the Part Time Lecturer in subject History.

In that view of the matter, we find no error committed either by the University and College Tribunal or by the learned Single Judge of this Court. Hence, the present appeal stands rejected.

Pending civil applications are also disposed of.

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