

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3293 /2015

(Shri Ramesh Laxmanrao Kendhe vs. The State of Maharashtra and others)

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

Court's or Judge's order

Shri B.M.Khan, Advocate for the petitioner
Miss T.Khan, Asst.Govt.Pleader for Res.Nos.1 and 2
Shri M.A. Vaishnav, Adv.for Respondent No.5

CORAM : SMT. VASANTI A. NAIK &
A.I.S. CHEEMA, JJ.

DATED : 12th October, 2015.

Heard.

By this petition, the petitioner impugns the communication issued by the Zilla Parishad, Yavatmal to the respondent-Management, dated 27.2.2015, asking the Management to inform the name of the seniormost Assistant Teacher to him, so that the administrative and financial powers could be entrusted to the seniormost teacher.

Shri Vaishnav, the learned counsel for the respondent no.5 who claims to be senior to the petitioner, states that the order of promotion of the petitioner has been challenged by the respondent no.5, before the School Tribunal and the issue in regard to the seniority *vis-a-vis* the petitioner and the respondent no.5, is pending

before the School Tribunal.

In view of the statement made on behalf of the respondent no.5, we dispose of the Writ Petition, with liberty to the petitioner to raise the grounds raised in the Writ Petition, before the School Tribunal as the petitioner is a party to the same.

Since the School Tribunal is empowered to decide the issue of seniority while considering the correctness or otherwise of the order of promotion, we dispose of the Writ Petition, with no order as to costs. The points raised in the Writ Petition are however, kept open.

JUDGE

JUDGE

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