

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

WRIT PETITION NO.2796 OF 1998

Dr. Suresh Ramrao Khande

..VS..

Shri Shivaji Education Society, thr its Secretary, Amravati 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 Abhay Sambre, counsel for R-1 & 2.

Shri A.S. Fulzele, AGP for R-4.

CORAM

**: B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.**

DATE

: FEBRUARY 5, 2015.

Heard.

This petition is to be heard along with
Writ Petition No.3330 of 1998. That writ
petition is disposed of today by following order,
thus:

*“**Heard** Shri Abhay Sambre, learned
counsel for petitioner. None appears
for respondent Nos.1 and 2.*

*The petitioner - Management has
challenged rejection of approval to the
selection process and appointment of
respondent No.2 by respondent No.1.
This Court on 18.12.1998 directed the
petitioner not to disturb the position of
respondent No.2 and he was allowed to
continue on the post of Principal of*

Agriculture College. This Court directed that he shall be continued on the post and also directed to the petitioner to release the salary.

This interim order was passed while issuing Rule.

Shri Abhay Sambre, learned counsel for the petitioner, submits that respondent No.1 reached age of superannuation in the year 2004 and has retired.

We, therefore, find that the challenge is rendered infructuous. We make the Rule absolute in terms of the directions issued on 18.12.1998 and disposed of the petition. No costs.”

The petitioner, in this petition, questions selection and appointment of Principal who is respondent No.3 in the present matter. Said Principal got benefit of above order.

Shri Abhay Sambre, learned counsel, appears for respondent Nos.1 and 2, Shri A.S. Fulzele, learned Assistant Government Pleader, appears for respondent No.4. They submit the present challenge is also rendered infructuous. They also point out to this Court that Shri D.A. Bastain, learned counsel, who represented the

said petitioner, is no more.

However, as we are satisfied that the challenge is rendered infructuous, we dispose of the petition accordingly. Rule is discharged. No costs.

JUDGE

JUDGE

!! BRW !!