

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

WRIT PETITION NO.9167 OF 2014
WITH
CIVIL APPLICATION St.NO.24716 OF 2016

BHAGWANT DAGA WAGH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :Mr.Talekar S.B.
AGP for Respondents/State:Mr.A.G.Magre.
Advocate for R.Nos.4 and 5: Mr.R.S.
Pawar.

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CORAM: S.S. SHINDE & SANGITRAO S. PATIL, JJ.
Dated: AUGUST 08, 2016

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Heard.

2. The learned Counsel for the petitioner has tendered across the Bar the copy of the civil application for amendment of the petition. Along with the civil application, the copy of the order dated 21st July, 2016 issued by the respondent – Zilla Parishad terminating the services of the petitioner has been placed on record.

3. The learned Counsel for the

petitioner submits that the petitioner may be allowed to amend the petition so as to challenge the order of termination. The order of termination can be assailed before the competent forum and, therefore, we are not inclined to entertain the application filed in this petition. However, we allow the petitioner to place on record the copy of the order of termination, which has been annexed with the civil application.

4. The learned Counsel for the petitioner submits that so as to enable the petitioner to approach the Labour Court, the effect, implementation and execution of the order of termination dated 21st July, 2016 may be stayed.

5. The learned Counsel for the respondent – Zilla Parishad, on instructions, submits that the order of termination has been already executed.

6. So as to enable the petitioner to approach the Labour Court, we direct the respondents to maintain status quo as to the post held by the petitioner, as available on today, for further three weeks from today.

7. In that view of the matter, the civil application as also the writ petition stand disposed of with liberty to the petitioner to take exception to the order of termination before the Labour Court.

(SANGITRAO S. PATIL, J) (S.S. SHINDE, J)