

FARAD CONTINUATION SHEET NO.
 IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 APPELLATE SIDE, BENCH AT AURANGABAD
CIVIL APPLICATION NO.14121 OF 2016
IN
WRIT PETITION NO.5500 OF 2003.

Limbaji S/o Kalidas Shinde and others Vs. The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.B.Talekar, advocate for the applicants.
 Mrs.M.A.Deshpande, A.G.P. for the State.
 Mr.P.R.Patil, advocate for Respondent No.4.

**CORAM : S.V.GANGAPURWALA AND
 K.L.WADANE, JJ.**
Date : 20.10.2016.

PER COURT :

1. Heard.
2. By the present Application, the amendment is sought in the Memo of Petition. By the instant amendment application, the vires of Rule 26(2)(iii) of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 is assailed. The learned A.G.P. states that the said challenge is raised at the belated stage when the Writ Petition is fixed for final hearing.
3. Considering the fact that vires of provision is challenged, the issue requires to be dealt with. Even otherwise, the

Respondents will have every right to controvert the averments sought to be raised by way of amendment by filing affidavit to the petition.

4. In light of the above, the Civil Application is allowed in terms of prayer clause (A). Necessary amendment be carried out within fourteen days.

5. The Civil Application is disposed of.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.20.10.2016.
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