

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO. 2632 OF 2015
IN
WRIT PETITION NO. 2169 OF 2002***

Shri Rajaram Sampat Kamble

... Applicant
(Ori. Petitioner)

v/s

1. The Secretary/Administrative Officer,
All India Shivaji Memorial Society,
Pune; & ors.

... Respondents

Mr.S.V.Pitre for the applicant/original petitioner.

Mr.Nitin Dhumal for Resp. Nos.1 and 2.

Ms.M.S. Bane, 'B' Panel A.G.P for Respondent Nos.3 to 5.

Mr.Akshay Deshmukh i/by Uday Warunjikar for Intervenor.

CORAM: N.M. JAMDAR, J.

DATED : 4 MARCH 2016

P.C.:

Learned counsel for the Applicant has drawn my attention to the order dated 22 September 2011 in Civil Application No.1320 of 2011, wherein this Court has permitted the Applicant to joint as full time teacher in Accounting and Auditing with S.N.D.T. Arts & Commerce Junior College, Pune, on temporary basis subject to the decision in Writ Petition No.2169 of 2002.

2 Writ Petition No.2169 of 2002 is filed by the Petitioner seeking reinstatement in the service of Respondent Nos.1 and 2 management. Learned counsel for the Applicant states that, considering the fact that the litigation is pending since long time and that if the Applicant is absorbed as a surplus teacher in S.N.D.T. College, where he is currently working, the Petitioner will not press his claim against Respondent Nos.1 and 2. He states that, in the facts and circumstances of the case, the arrangement made by order dated 2 September 2011 can be continued, which will put quietus to the entire litigation where other teachers have also intervened.

3 It will be open to the Applicant to make representation to that effect to the S.N.D.T. College as well as to the Joint Director of Vocational Education and Training. Both these authorities will consider the application, as per law, keeping in mind the need to put a quietus to the long pending litigation, which affect all concerned. If such an application is made within a period of four weeks from today, the authorities will make an endeavour to give response to the application, within a period of eight weeks thereafter.

4 As regard the prayer clause (b) of the civil application is concerned, learned counsel for the Applicant states that he is not pressing this prayer at present.

5 It is made clear that the authorities will decide the application independent of the pendency of the petition as, if the grievance of the Applicant is satisfied, he will no doubt withdraw the writ petition.

6 The civil application is accordingly disposed of.

(N. M. JAMDAR, J.)