

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL ORDINARY CIVIL JURISDICTION

**WRIT PETITION NO.1367 OF 2002
WITH
NOTICE OF MOTION NO.161 OF 2003**

Anjali N. Joshi ...Petitioner

vs.

The Registrar, SNDT College of Arts
and SCB and Others ...Respondents

Mr. Mihir Desai, Senior Advocate a/w. Mr. V. Koprikar, for the
Petitioner

Mr. A. Shaikh i/b. Rui Rodrigues, for Respondent Nos. 1 and 2.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 03, 2016**

P.C.:

. Parties through their counsel.

2. The learned counsel for the parties submits that the
Petitioner has now left the job and is working in some other institute.
In the circumstances according to the learned senior counsel
appearing for the Petitioner, this Petition may be disposed of as having
been rendered infructuous. He further submits that in terms of the
interim order passed on 21st June, 2002 which was continued from
time to time, the Respondent was directed to continue the Petitioner

as full time lecturer and to pay her wages regularly. He submits that in terms of the said order, the Petitioner was continued and was paid her wages as she was working for the post of full time lecturer and therefore the Respondent may not recover the said amount from the Petitioner after dismissal of this Petition.

3. We find that since the Petitioner has worked for the Respondent as full time lecturer, it is not open for the Respondent to recover the amount from the Petitioner.

4. In view of the aforesaid, the Petition is dismissed as infructuous. Accordingly, the Notice of Motion also stands disposed of. Rule is discharged.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)