

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2724/2016

(VILAS BAPURAOJI SHENDE **VERSUS** THE E.O. (SECONDARY) & OTHERS)

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

Court's or Judge's orders

Shri N.R. Saboo and Shri S. Katkar, counsel for the petitioner.
Shri N.R. Rode, A.G.P. for the R-1.

CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : JUNE 13, 2016.

Shri Saboo, the learned counsel for the petitioner, states that though the petitioner was promoted to the post of Headmaster by the then managing committee in the year 2012, the application for grant of approval to the promotion was not decided. It is stated that the new managing committee promoted the respondent no.3 on the post of Headmaster on which the petitioner was promoted on 17.07.2013 and this Court has, by the judgment dated 23.12.2015, directed the Education Authorities that approval be granted to the promotion of the respondent no.3. It is stated that the order in the writ petition filed by the respondent no.3, bearing Writ Petition No.3323 of 2014 was secured by concealing the material facts and misrepresenting the Court.

In the circumstances of the case, it would not be proper to entertain this writ petition. The petitioner may avail the other remedies of either filing an appeal under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 or of seeking modification of the judgment in the writ petition filed by the respondent no.3, if at all permissible.

The writ petition stands disposed of with no order
as to costs.

The points raised in the petition are kept open.

JUDGE

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