

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5421/2016

Gajanan s/o Motiramji Bawankule

...Versus...

Maharashtra State Board of Secondary and Higher Secondary Education, Nagpur
Division, Nagpur through its Divisional Secretary and others

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

Court's or Judge's orders

Shri F.T. Mirza, Advocate for petitioner
Shri Anand Parchure, Advocate for respondent no.1
Shri P.C. Marpakwar, Advocate for respondent no.2
Ms K.K. Pathak, Advocate for respondent nos.3 and 4

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

DATE : 21.12.2016

Since this Court was not inclined to entertain the writ petition at this stage when the enquiries are initiated against the petitioner by the Maharashtra State Board of Secondary and Higher Secondary Education, Nagpur Division, Nagpur as well as the Management, the learned Counsel for the petitioner states that the petitioner would raise the objections, as raised in this petition, in the enquiries and even thereafter, at appropriate stages. The learned Counsel states that the Board should however not act upon the impugned order, dated 31.5.2016 as the same is passed without granting any opportunity to the petitioner.

Shri Parchure, the learned Counsel for the respondent – Board states, on instructions, that the impugned order, dated 31.5.2016 would be withdrawn as after the said order was passed, the Board has served a show-cause-notice on the petitioner and is taking appropriate action in furtherance of the same.

In view of the statements recorded herein above, we dispose of the writ petition as withdrawn by keeping all the points raised in the petition open.

Order accordingly. No costs.

JUDGE

JUDGE

Wadkar