

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6635 OF 2007

Narayan S/o Rambhau Ahire .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri M. P. Kale, Advocate for the Petitioner.

Shri D. R. Kale, A.G.P. for Respondent Nos. 1 and 4.

Shri Jagtap, Advocate h/f Shri V. D. Sapkal, Advocate for
Respondent Nos. 2, 3 and 5.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 24TH AUGUST, 2017.

FINAL ORDER :

. Mr. Kale, the learned counsel for the petitioner submits that, the petitioner on attaining age of superannuation has retired from service.

2. The petitioner also assails Rule 3(4) of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981.

3. The substantive relief claimed has become academic.

4. It is also submitted by the learned counsel for respondents

that, this Court in Writ Petition No. 507 of 1985 with other connected writ petitions decided on 28.06.1985, has upheld validity of rule 3(4) of the M. E. P. S. Rules, 1981.

5. In the light of the above, nothing survives in the writ petition. The writ petition as such stands dismissed. Rule discharged. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug. 17