

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

25 CIVIL APPLICATION NO. 13812 OF 2016 IN WP/3644/2011

WITH

WRIT PETITION NO. 3644 OF 2011

NETNE SHRIRAM PARBHATRAO

VERSUS

THE STATE OF MAH AND ORS

...

Advocate for Petitioner : Mr. U. R. Awate i/by Talekar And Associates

AGP for Respondents State: Mr. R. B. Bagul

Advocate for Respondent No.5 : Mr. Sachin Deshmukh

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 11th January, 2017

ORDER:

1. Mr. Awate, the learned counsel for the petitioner states that the respondents have filed affidavit saying that the petitioner is orally terminated after filing of the present writ petition. As such, the amendment is sought challenging the order of oral termination. The learned counsel appearing for the respondents opposes the amendment on the ground that the remedy to challenge the oral termination is with the School Tribunal.

2. Jurisdiction always vests with the school Tribunal to consider challenge to the termination. Considering the same, the said request cannot be

considered in the present petition. The petitioner is at liberty to assail the order of termination before the appropriate authority/Tribunal. In that regard all contentions of the respective parties are kept open. With this observation, Civil application is disposed of. No costs.

3. Place the Writ petition on 25.01.2017 at the request of respondent No.5

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC