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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 11288 OF 2013

Ansari Laeque Ahmed Shabbir Ahmed ... Petitioner

Vs.

Jadeed Anjuman-e-Taleems & Ors. ... Respondents

WITH

WRIT PETITION No. 10 OF 2014

Patil Balasaheb Madhukar ... Petitioner

Vs.

Jadeed Anjuman-e-Taleems & Ors. ... Respondents

WITH

WRIT PETITION No. 11 OF 2014

Khairnar Nitin Bhika ... Petitioner

Vs.

Jadeed Anjuman-e-Taleems & Ors. ... Respondents

Mr. Subhash Langote I/b V. A. Madane, for the Petitioner in all petitions.

Mr. N. R. Bubna, for Respondent Nos. 1 & 2 in all petitions.

Mr. C. P. Yadav, AGP for Respondent Nos. 3 & 4 in all petitions.

CORAM : B. R. GAVAI, &
MANISH PITALE, JJ.

DATE : DECEMBER 6, 2017

PC :

1. The Petitioners have already been terminated from the services. Being aggrieved by the order of termination, the Petitioners have also filed appeal before the University and College Tribunal, Pune. A party cannot be permitted to take recourse to the two remedies simultaneously. Since the Petitioners are already before the University and College Tribunal, we are not inclined to entertain these petitions in exercise of our extraordinary writ jurisdiction under Article 227 of the Constitution of India. All the writ petitions are therefore, rejected.

2. However, taking into consideration that for a considerable period of time the Petitioners are before the Tribunal, we direct the learned University and College Tribunal, Pune to decide appeal of the Petitioner in each writ petition, on merits and in accordance with law, as expeditiously as possible, and in any case within a period of six months from today. We make it clear that we have not considered merits of the matters. All contentions raised by the parties in these petitions are kept open, which can be agitated by them before the learned University and College Tribunal.

Sd/-
[MANISH PITALE, J.]

Sd/-
[B. R. GAVAI, J.]