

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

WRIT PETITION NO.3373/2015

Ketan s/o Vijay Vaidya

...Versus...

The Education Officer (Secondary), Zilla Parishad, Nagpur 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 B.G. Kulkarni, Counsel for the petitioner
Mrs. H.N. Prabhu, AGP for the respondent no.1
Ms D.R. Muley, Counsel h/f Shri S.P. Bhandarkar, Counsel for respondent nos.2 & 3

**CORAM : SMT. VASANTI A NAIK AND
ARUN D. UPADHYE, JJ.**

DATE : 13.07.2017

Shri Kulkarni, the learned Counsel for the petitioner states that during the pendency of the writ petition, the services of the petitioner were terminated and the petitioner has filed an appeal under the provisions of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977. It is stated that as a stay is granted to the order of termination of the petitioner by the School Tribunal and the petitioner continues to serve in the school run by the respondent – Management, the question, that is agitated in this Court could be agitated in the appeal filed by the petitioner before the School Tribunal. It is stated that in this view of the matter, the writ petition could be disposed of by keeping the points raised in the petition open.

In view of the statements recorded herein above, the writ petition stands disposed of with no order as to costs.

We grant liberty to the parties to move this Court, after the decision in the appeal filed by the petitioner before the School Tribunal, for the withdrawal of the amount of Rs.23,665/-, i.e. deposited by the petitioner in this Court in pursuance of the interim order.

Order accordingly.

JUDGE

JUDGE

Wadkar