

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

**WRIT PETITION NO.5105 OF 2017**

(PARWA EDUCATION SOCIETY & ANR...VS..ADDITIONAL COMMISSIONER, TRIBAL DEV. & OTH.)

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

Court's or Judge's orders

Ms Ashwini Athalye, Advocate for Petitioners.  
 Shri S.J.Kadu, A.G.P. for Respondent Nos.1 & 2.  
 Shri D.J.Deshpande h/f. Shri A. Parchure, Adv for Resp.No.3.

**CORAM : S.C.GUPTE, J.**

**DATED : SEPTEMBER 04, 2017.**

After the petition is heard at some length, learned counsel for respondent No.3 agrees that the impugned order dated 14<sup>th</sup> July, 2017 may be set aside and the respondent may be permitted to adopt such remedy as may be permissible to him in law including a suit before appropriate Civil Court. Learned counsel for the petitioners as well as for the respondent State have no objection to such order being passed.

Accordingly, the impugned order dated 14<sup>th</sup> July, 2017 is quashed and set aside without reference to any issue concerning it on merits and also reserving liberty unto respondent No.3 to agitate the question of his reinstatement as well as arrears of back wages before an appropriate forum.

The appropriate Court, upon being approached, shall consider allowing exclusion of time in the prosecution of the present matter and shall hopefully take a liberal view, in accordance with law.

The petition is **disposed of** in the above terms.  
 No order as to costs.

**JUDGE**