

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

CIVIL APPLICATION NO. 944 OF 2018
IN
WRIT PETITION NO. 1451 OF 2017

Sandeep Babasaheb Chate and Ors. ...Applicants

Versus

Shri Vardhaman Sthanakwasi Jain
Madhyamik Va Uccha Madhyamic
Vidyalaya, Jalna and Ors. ...Respondents

Mr. A.S. Deshpande, Advocate for Applicants
Mrs. A.V. Gondhalekar, AGP for Respondent/State
Mr. Vivek Dhage, Advocate for Respondent Nos. 1 and 2
Mr. A.D. Aghav, Advocate for Respondent No. 4

**CORAM : PRASANNA B. VARALE AND
MANISH PITALE, JJ.**

DATE: 7th SEPTEMBER, 2018

PER COURT

1. Heard Mr. Deshpande, the learned Counsel for the applicants. Mr. Deshpande made an attempt to submit before us that in view of the statement made in para Nos. 4 and 5, the exercise which is already undertaken by the respondent-institute to fill-up the post as per the fresh staffing pattern may cause prejudice to the applicants. On the backdrop of the submissions of Mr. Dhage that the

petitioners are not in service and their challenge is yet to be considered by this Court on merits, we are not inclined to grant any interim order as prayed by Mr. Deshpande. Both the Counsel appearing for the contesting parties namely, Mr. Deshpande for the applicants and Mr. Dhage for the respondent-institute submitted that the petition is ripe for hearing and even it was heard for some time, but for the paucity of time, the Petition could not be heard.

2. In view of this fact, we direct the office to list the Petition for final hearing/disposal in the week commencing from 15th October, 2018.

3. We further make it clear that the exercise to fill-up the post to continue, but the same would be subject to the final outcome of the Writ Petition.

4. In view of the above order, the Civil Application is disposed of accordingly.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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