

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2717 OF 2004

Gramin Shikshan Prasarak Mandal,
Nehru Nagar, Nagalgaon,
Tq.Kandhar, Dist.Nanded,
Through its Secretary
Shivram s/o Teju Pawar,
Age-66 years, Occu-Agriculture,
R/o Nehru Nagar, Nagalgaon,
Tq.Kandhar, Dist. Nanded

– PETITIONER

VERSUS

1. The State of Maharashtra,
Through the Secretary to the
Government of Maharashtra in
Education Department,
Mantralaya, Fort, Mumbai
2. The Director of Education,
Maharashtra State,
Pune
3. The Deputy Director of Education,
Latur Division,
Latur
4. The Maharashtra State Secondary and
Higher Secondary Education Board,
Latur Divisional Board,
Latur, through its
Divisional Secretary
5. Ramesh s/o Laxman Rathod,
Age-40 years, Occu-Service as
Principal at Gramin Junior Arts
and Science College, Nehrunagar,
Nagalgaon, Tq.Kandhar,
Dist. Nanded.

– RESPONDENTS

Ms.R.M.Mohale h/f Mr.S.S.Choudhari, Advocate for the petitioner.
Mr.V.S.Badakh, AGP for respondent Nos. 1 to 3.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 21/03/2018

ORAL JUDGMENT :

1. The petitioner has challenged the order dated 21/10/2003 passed by the Deputy Director of Education, Latur Division by which the petitioner / Management was refused permission to suspend respondent No.5 / employee and was further directed to continue with the departmental enquiry by keeping him in employment. This Court has not granted any interim relief to the petitioner. After the passage of 14 years, I am of the view of that this petition is rendered infructuous.

2. Learned Advocate submits that the petitioner / Management has now changed and the Institution has been handed over to some other Management. Learned AGP appearing on behalf of respondent Nos. 1 to 3 submits that reasons were assigned for refusing permission to suspend the employee and after 14 years, the cause of action would not survive.

3. None present for respondent Nos. 4 and 5.

4. Considering the above, this petition, being infructuous, stands disposed of. Rule is discharged.

(RAVINDRA V. GHUGE, J.)