

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

BENCH AT AURANGABAD.

**REVIEW APPLICATION (CIVIL) NO.233 OF 2016
IN
WRIT PETITION NO.1978 OF 2009**

Gangadhar S/o Dattaramji
Wadde ... Applicant.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.A.A.Mukhedkar, advocate for the applicant.
Mr.R.V.Dasalkar, A.G.P. for the State.
Mr.S.G.Kawade, advocate for Respondent No.2 in
W.P. absent.
Mr.V.G.Sakolkar, advocate for Respondent No.4 in
W.P. absent.

...

**CORAM : S.V.GANGAPURWALA AND
V.K.JADHAV, JJ.**

Date : 12.01.2018.

PER COURT :

1. Mr.Mukhedkar, learned counsel for the
applicant submits that the Writ Petition
No.1978/2009 is disposed of on the basis of the
statement of Respondents that petitioner is

already terminated from service. The learned counsel submits that in fact, against the termination order, the petitioner had filed appeal before the School Tribunal and the appeal came to be allowed on 30.1.2010. Thereafter, even approval is granted to the appointment of the petitioner. The petitioner was continued in service. Though the petitioner is now not interested in the relief claimed in the Writ Petition, however, the observations made on the basis of the statement in the order disposing of the Writ Petition are incorrect.

2. None appears today for the non-applicants except the A.G.P.

3. As the petitioner is now not interested in claiming the relief as claimed in the Writ Petition, it will not be necessary to review the order except with the clarification that the observations made were on the basis of the statement of the learned counsel for the Respondents and if the petitioner was in service on the date of disposal of Writ Petition then the

statement recorded that the petitioner is terminated will have no efficacy.

4. The Review Application accordingly disposed of.

(V.K. JADHAV, J.)

(S.V. GANGAPURWALA, J.)

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