

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

WRIT PETITION NO.519 OF 2012

Shri Pandharinath s/o Sakharam Sonawane .. Petitioner

Versus

The State of Maharashtra & Others .. Respondents

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Shri S.V. Dixit, Advocate for petitioner
Smt Vaishali S Choudhari, Assistant Government Pleader
for respondents/State

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CORAM : SUNIL P. DESHMUKH &
P. R. BORA, JJ.

Date : January 5, 2018

PER COURT :

1. Petitioner purports to pose challenge to submission of pension proposal of respondent no.6 as well as appointment of respondent no.7 as Head Master, contending that during operation of interim order passed by this Court in Second Appeal No. 817 of 2004, when persons comprising the then Management were not supposed to take any policy decision, viz; on pension proposal or appointment of respondent no.7 as Head Master. As such, decisions so taken during operation of such interim order, were not proper and were in breach of order passed by this Court.

2. While it is being so submitted, it may have to be taken into account that respondents no.6 and 7 were employees of institution and making of pension proposal of respondent no.6 is in his role as employee and appointment of respondent no.7 as

Headmaster also is a matter of administration in the given facts and circumstances. No illegitimacy can be attributed to them in the same. Besides, it appears that petition raises questions of facts.

3. In the circumstances, we are not inclined to entertain writ petition and the same is rejected.

P.R. BORA
JUDGE

SUNIL P. DESHMUKH
JUDGE