IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14372 OF 2018
IN
WRIT PETITION NO.15179 OF 2017

Pradip s/o Jaysing Rathod,
Age: 36 years, Occ: Service,
R/o. At Post Kotul, Tq. Akole,
Dist. Ahmednagar. ..APPLICANT

VERSUS

Ganpat s/o Madhukar Pathak,
Age: Major, Occ: Service,
R/o. Kotul, Tq. Akole,
Dist. Ahmednagar & ors. ..RESPONDENTS

Mr Shantanu A. Deshpande, Advocate for applicant;
Mr M.V. Dhongade, Advocate for respondent No.1;
Mr S.Y. Mahajan, A.G.P. for respondent/State;
Mr S.S.Kulkarni, Advocate for respondent No.6

CORAM : PRASANNA B. VARALE
AND
MANGESH S. PATIL,JJ.

DATE : 6th DECEMBER, 2018

ORAL ORDER :

Heard learned Counsel appearing for the applicant.

2. The applicant is before this Court seeking

intervention in Writ Petition No.15179 of 2017.

3. On perusal of the grounds raised in the application and on perusal material placed on record, we are of the opinion that the applicant is having an independent cause of action to be taken in the grievance submitted by him and having no bearing either in the issue raised in the petition or for the consideration of the controversy in the petition. Learned Counsel for the applicant submitted that the applicant had approached Presiding Officer of the School Tribunal by filing an appeal and certain interim orders are passed. If that is so, the applicant is not prevented from prosecuting his appeal. As it is our opinion that the applicant is not a necessary party to the petition, the application thus being meritless, deserves to be dismissed. Accordingly, the civil application is dismissed.

(MANGESH S. PATIL) **(PRASANNA B. VARALE)**
JUDGE **JUDGE**

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