

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

51 WRIT PETITION NO. 15017 OF 2017

AJINATH JABAJI KIRTANE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. S. S. Thombre, Advocate for the Petitioner.

Mr. A. P. Basarkar, AGP for Respondents-State.

Mr. V. J. Dixit, Sr. Counsel with Mr. Ankush N. Nagargoje, Advocates for Respondent No.3.

Mr. Prasad V. Jadhavar, Advocate for Respondent No.4.

...

**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATED : 10th JULY, 2018.

PER COURT:-

1. According to the respondents, the petitioner is not in service since July 2013. According to the petitioner, he was working till the year 2015.

2. The case would fall within the concept of otherwise termination. The petitioner can assail the same before the School Tribunal. The School Tribunal can also go into the consequential aspect of approval.

3. With this observation, writ petition is disposed of. The time spend in prosecuting the petition can be considered by the School Tribunal.

4. All contentions of the parties are kept open.

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/July-18