

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12468 OF 2017**

Shri. Anilkumar Ramchandra Sapkale	..Petitioner
Versus	
State of Maharashtra and others	..Respondents

Mr. Drupad S. Patil, Advocate for the Petitioner.
Mr. V. M. Mali, AGP for the Respondent – State.
Mr. Prashant Bhavake, Advocate for Respondent No.8.

**CORAM : B. R. GAVAI &
SMT. BHARATI H. DANGRE, JJ.
DATE : 17th APRIL, 2018**

PC.

1] The Petitioner in the present Petition is Respondent No.8 in Writ Petition No.12105 of 2016.

2] In view of the interim order passed in the said Petition, the Petitioner has been declared surplus. Vide the order in Writ Petition No.12105 of 2016, we have dismissed the Petition of the said Petitioner and held that the present Petitioner who possess degree of Bachelor in Physical Education is required to serve in Respondent No.7 school under the management of Respondent No.6. In view of dismissal of Writ Petition No.12105 of 2016, the Petitioner therein will have to be declared surplus and absorbed in the another school. As such, the basis on which the impugned order is passed in the present Petition does not survive. Rule is therefore made absolute in terms of prayer clause (a).

[SMT. BHARATI H. DANGRE, J.]

[B. R. GAVAI, J.]