

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.21 OF 2018

Vidula w/o Vijay Khedekar

..Petitioner

Versus

State of Maharashtra and others

..Respondents

Mr. Atul Mahajan and Mr. Kiran Mohite, Advocate for the Petitioner.

Mr. Kedar Dighe, AGP for Respondent Nos.1 to 3.

Mr. Ashwin V. Sakolkar i/by Mr. Anish Khandekar, Advocate for Respondent No.4.

Mr. Swaraj Sanjay Jadhav, Advocate for Respondent No.5.

CORAM : B. R. GAVAI &

B. P. COLABAWALLA, JJ.

DATE : 23rd JANUARY, 2018

PC.

1] The Petition in turn challenges supersession. It is the contention of the Petitioner that though the Petitioner is senior to the Respondent No.5, ignoring the seniority he has been promoted as the Head Master, thereby superseding the Petitioner.

2] The perusal of Section 9 of the MEPS Rules, would reveal that an alternate efficacious remedy is available by way of an appeal before the learned School Tribunal. In the appeal before the learned School Tribunal incidental issue with regard to internal seniority can also be gone into. The Petition is rejected by relegating the Petitioner to the alternate remedy available in law.

[B. P. COLABAWALLA, J.]

[B. R. GAVAI, J.]