

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAW) NO.2638 OF 2017
IN
WRIT PETITION NO.1121 OF 2013

Pandit s/o Rajaram Wankhade, Borgaon Manju, Akola

-vs-

The State of Maharashtra, Thr. its Secretary to the Education Dept. Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. Shelat, Advocate for petitioner/applicant.
Ms M. A. Barbde, AGP for respondent Nos.1,4 and 5.
Shri N. B. Kalwaghe, Advocate for respondent No.2.
Shri A. R. Deshpande, Advocate for respondent No.3.

CORAM : A.S.CHANDURKAR, J.
DATE : January 29, 2018

The petitioner seeks to amend the writ petition and implead the subsequent promotee on the post of Head Master. In the application it is stated that the proposed party has been promoted on the post of Head Master and while approving the same it is stated that the said appointment has been made subject to the result of the writ petition.

The application is opposed on the count that as according to the petitioner the proposed party is junior to him, the same would amount to supersession and therefore the remedy lies before the School Tribunal.

Considering the fact that the promotion has been effected during pendency of the writ petition as well as the nature of approval granted, I find presence of the

proposed party necessary while adjudicating the writ petition. Hence without prejudice to the contention as regards availability of alternate remedy, the amendment is allowed. Same be carried out within one week from today.

Civil application is disposed of.

Writ Petition No.1121/2013

Shri H. Gadhia, learned counsel waives notice on behalf of respondent No.6.

JUDGE