

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.24356 OF 2004

ORDER:

When the matter is taken up for hearing, learned counsel for respondent No.5 would submit that the petitioner filed the writ petition challenging the proceedings No.5-C2/2004, dated 07.12.2004, issued by respondent No.1 directing the petitioner's school to allow respondent No.5 in attending his legitimate duties, signing in the Attendance Register and submitting his salary bills; that initially, this Court was pleased to grant interim suspension of the said proceedings by order, dated 28.12.2004, in W.P.M.P. No.31917 of 2004, and subsequently respondent No.5 filed a vacation stay petition vide I.A. No.1 of 2005 (W.V.M.P. No.321 of 2005), while respondent Nos.1 to 4 filed I.A. No.2 of 2005 (W.V.M.P. No.649 of 2005); that the said vacate stay petitions were allowed by this Court, by order, dated 27.09.2005 and, thus, in view of the said orders, respondent No.5 was allowed to continue in the petitioner's school; that respondent No.5 has also attained the age of superannuation; and that in view of the same, the cause in the writ petition does not survive; and requested to dismiss the writ petition as infructuous.

In view of the above submission made by the learned counsel for respondent No.5, the present Writ Petition is dismissed as infructuous. However, in the circumstances of the case, there shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present writ petition stand closed.

ABHINAND KUMAR SHAVILI, J

December 15, 2018

Mgr

