

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

WRIT PETITION NO. 3604 OF 2019

Hanmant S/o Digambarrao Hambarde

.. Petitioner

Versus

The State of Maharashtra and Others

.. Respondents

Mr. V. S. Panpatte, Advocate for Petitioner.

Mr. P. S. Patil, Addl. G. P. for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
 MANGESH S. PATIL, JJ**

DATED : 19th AUGUST, 2019.

PER COURT:-

1. It is submitted that after filing of the petition, petitioner is terminated from service. The present petitioner is challenging the order of suspension and enquiry.
2. The petitioner has alternate remedy against the order of termination before the School Tribunal.
3. According to Mr. Panpatte, learned Counsel for the petitioner there is dispute amongst the members of the management. The respondent No. 4 is not the president of the trust. This is the second time the petitioner has been terminated. The order of termination is without authority and submits that this Court can entertain the Writ Petition under Article 226 of the Constitution of India.

4. When substantive alternate remedy against the order of termination is available to the petitioner and the present Writ Petition being restricted to the extent of challenging the order of suspension and enquiry, it would be appropriate for petitioner to avail the alternate remedy.
5. Writ Petition is disposed of with liberty to the petitioner to avail the alternate remedy. All contentions of respective parties are kept open.
6. The petitioner may satisfy the Tribunal with regard to the time spent in prosecuting the present Writ Petition.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

RS.B.