

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

903 WRIT PETITION NO.4713 OF 2019

DNYANESHWARI GANGARAM PHAD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Abhaya R. Rathod, Advocate for the Petitioner.
Mrs. V. N. Patil-Jadhav, AGP for Respondents-State.
Mr. S. B. Pulkundwar, Advocate for Respondent Nos.2
to 4.

...

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATED : 16th APRIL, 2019.

PER COURT:-

1. Mr. Pulkundwar, learned counsel appearing for respondent nos.2 to 4 submits that the petitioner has remedy of appeal against the order of suspension passed by the Block Education Officer and Appeal can be filed before the Chief Executive Officer.

2. Mr. Rathod, learned counsel for the petitioner submits that he has already filed an Appeal/Application to the Chief Executive Officer on 10.04.2019.

3. In view of the appellate remedy available to the petitioner, we are not inclined to consider the case on merits.

4. The writ petition is disposed of with liberty to the petitioner to avail remedy of Appeal before the Chief Executive Officer. The Chief Executive Officer shall decide the Appeal filed by the petitioner (Exhibit-E, Page No.27) on its own merits, in accordance with law and preferably within a period of one month.

5. Writ Petition is disposed of. No costs.

(A. M. DHAVALA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/April-19