

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2563 OF 2011
WITH
CIVIL APPLICATION NO. 14208 OF 2010
WITH
CIVIL APPLICATION NO. 6485 OF 2015
WITH
CIVIL APPLICATION NO. 10022 OF 2017
WITH
CIVIL APPLICATION NO. 564 OF 2016
IN
WRIT PETITION NO. 3691 OF 2004
AND
WRIT PETITION NO. 2784 OF 2011

BHARAT NAMDEO LOHAKARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Applicant : Mr. V.G. Mete.
AGP for Respondent Nos. 1 & 4 : Mr. S.W. Munde.
Advocate for Respondent Nos. 2 & 3 : Smt. M.A. Kulkarni.
Advocate for Applicant/Intervenor in CA No. 564/16 :
Mr. M.P. Tripathi.
Advocate for Petitioner in WP No. 2784/11 :
Ms. Anjali Dube (Bajpai).
Advocate for Respondent No. 3 in WP No. 2784/11 :
Mr. S.S. Jadhavar.

CORAM : RAVINDRA V. GHUGE, J.
Dated : 04.04.2019

PER COURT :

1. The first four Civil Applications have been filed by the applicant Bharat Namdeo Lohakare, praying for an appointment as an Assistant Teacher, during the pendency of the Writ Petition. As such, the first three Civil Applications would not survive in the light of the

fourth Civil Application and as such, these three applications stand disposed off.

2. In so far as the fourth Civil Application is concerned, the learned advocate for the applicant submits that one teacher by name Nanasaheb Laxman Kawade, has passed away and his death certificate is placed on record at page No. 131 of the petition paper book. Date of death is shown as 22.05.2011. Shri Mete, learned advocate for the applicant makes a grievance that the affidavit-in-reply filed on behalf of the Education Officer, indicates that Mr. Kawade, is alive. The learned AGP points out from paragraph No. 5 of the affidavit-in-reply filed by Shivdas Tatya Nalawade, dated 03.09.2015, at page No. 167 that the death of Mr. Kawade, is mentioned.

3. The learned AGP submits that he would take instructions to find out the latest position as regards whether any post of Assistant Teacher is vacant, so as to temporarily accommodate Shri Lohakare, till the decision in this Writ Petition.

4. In so far as the Civil Application No. 564/2016 is concerned, the applicant Trimbak Babasaheb More, claims to be the Vice President of the Management and seeks addition as a respondent in

Writ Petition No. 3691/2004. Learned advocates for the respective sides submit that they would enter a reply to the said Civil Application.

5. In view of the above, stand over to 25.04.2019, in the urgent orders category.

(RAVINDRA V. GHUGE, J.)

S.P.C.