

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

51 WRIT PETITION NO.12482 OF 2018

RAJABAI KASHINATHRAO KARAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. V.C. Patil Ashtekar
AGP for Respondents State: Mr. P.S. Patil
Advocate for respondent No.2: Mr. Sunil D. Kaldate
Advocate for RespondentNo.4 : Mr. D.J. Chaudhari h/for
Mr. Shinde Prakash M. & Jadhav Prashant B

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

DATE : 25th July, 2019

PER COURT :

1. Mr. Patil, learned Advocate for the petitioner submits that respondent no.4 is illegally appointed as Headmaster. The petitioner is senior to respondent No.4. Issue of seniority is also decided.

2. Mr.Chaudhari, the learned advocate for respondent No.4 submits that in view of provisions M.E.P.S. Act, the petitioner has remedy before the School Tribunal. The Petitioner claims that respondent No.4 has superseded him.

3. In view of the above, the petition is disposed of with liberty to the petitioner to avail alternate remedy before the School Tribunal.

4. All contentions are kept open.

(MANGESH S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

JPC