

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2953 OF 2019

Vishwanath Gourishankar Halke Petitioner
Vs.
The State of Maharashtra & Others Respondents

Mr. S.G. Kudle for the Petitioner.
Ms Reena A. Salunkhe, AGP, for Respondent Nos.1 & 2.
Mr. Anant Vadgaonkar for Respondent No.3.

CORAM: S.C. DHARMADHIKARI &
SANDEEP K. SHINDE, JJ.

DATE : JULY 24, 2019

P.C:

1. After this writ petition was heard on the earlier occasion, we had granted time to Mr. Vadgaonkar to take instructions.

2. On taking instructions from respondent No.3, who is present in Court, it is stated that Smt. Kushalabai Kondiba Ingale Charitable Trust, Karjal, Taluka Akkalkot, District Solapur withdraws the order impugned in this writ petition. The

petitioner shall be reinstated in the service and will be allowed to report for duties as a Head Master of the Kondiba Ingale High School, Karjal, Taluka Akkalkot, District Solapur.

3. While we allow the writ petition by quashing the impugned order on the statement of Mr. Vadgaonkar, we clarify that we have expressed no opinion on the rival contentions. Our order does not prevent the Management from taking such steps as are permissible in law. Equally we do not foreclose any of the contentions that may be raised in such proceedings on behalf of the petitioner, should they be initiated.

4. The writ petition is disposed of in the above terms.

5. Mr. Kudle says that if the petitioner has approached the School Tribunal by filing an Appeal, he will forthwith withdraw the same.

6. Needless to clarify that on reinstatement the petitioner would be entitled to such benefits as are permissible in law. Further needless to clarify that the Education Officer

(Secondary), Zilla Parishad, Solapur will ensure that not only the petitioner is reinstated as Head Master but is also paid the emoluments and perquisites in accordance with law.

7. We direct that the above be released as expeditiously as possible and within four weeks from today.

(SANDEEP K. SHINDE, J.)

(S.C. DHARMADHIKARI, J.)