

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 12824 OF 2016

Jay Hanuman Shikshan Sanstha
Belavale Khurd & anr.

..Petitioners

vs.

Jaysing Gajanan Patil & ors.

..Respondents

....

Shri N.V. Bandiwadekar a/w. Shri Vaibhav Kumbhar I/b. Shri
Sagar A. Mane for petitioners.

Shri Prashant Bhavake I/b. Shri Umesh Pawar for respondent
No.1.

Shri K.S. Thorat, AGP for respondent No.2.

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CORAM : M.S.KARNIK, J.

DATE : 22nd APRIL, 2019

P.C. :

Learned Counsel for petitioners submits that they are
willing for notional reinstatement of respondent No.1 in terms
of the order passed by the School Tribunal.

2. Learned Counsel for respondent No.1, on
instructions of respondent No.1 who is personally present in the
Court, submits that he is agreeable to such a notional
reinstatement but with continuity of service. He submits that he

won't press his claim for back- wages and gives up his right to claim any back-wages. The affidavit-cum-undertaking on behalf of the respondent No.1 is taken on record and marked 'X'.

3. The Management will submit a proposal for treating respondent No.1 as surplus and for absorption if there is a vacancy within a period of 4 weeks. The Education Officer (Secondary), Kolhapur, to decide the said proposal within a period of 6 weeks thereafter.

4. The petitioner to notionally reinstate the respondent No.1 with continuity of service but without back-wages and submit proposal in terms of paragraph 3 above. Writ Petition is disposed of.

(M.S.KARNIK, J.)