

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 574 OF 2019

Valmik Daulat Gaidhani ... Petitioner
Vs
1 State of Maharashtra & Ors. ... Respondents

Mr. Jayendra D. Khairnar for the Petitioner.

Mr. V.M. Mali, AGP, for the Respondent Nos.1 & 2-State.

Ms. Pranita P. Hingmire for the Respondent Nos.3, 4 & 5.

***CORAM : S.C. DHARMADHIKARI &
M.S. KARNIK, JJ.***

WEDNESDAY, 20TH FEBRUARY, 2019

P.C. :

1 During the pendency of this petition, the petitioner has been terminated from service and there is an affidavit filed to that effect.

2 The petitioner is also accused of suppression of material and relevant facts, including his approaching the School Tribunal.

3 We do not think that we should go into these

allegations and pronounce upon the correctness of it for in paragraph 9 of the writ petition the petitioner has indeed declared that he approached the School Tribunal, Nashik, but, advised as he was with regard to the jurisdiction or lack of it as far as the School Tribunal is concerned, he has approached this Court challenging his suspension and he had sought a protective relief restraining the Management from terminating him.

4 Now that the termination has been communicated in writing and there is an appeal of the petitioner pending before the School Tribunal so also an application seeking condonation of delay in filing the same, it is for the School Tribunal to consider the entire grievance and in a proper perspective. We have no doubt in our mind that the School Tribunal will apply its mind to the controversy at hand and pass proper orders in accordance with law. Once the petitioner can impugn the termination order served on him and made by the Management in writing before the School Tribunal, then, keeping open all contentions, this writ petition is disposed of.

M.S. KARNIK, J.

S.C. DHARMADHIKARI, J.