

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1438/2013

(SHARDA MAHILA MANDAL MURMADI (TUPKAR) & ANOTHER **VERSUS** PANDURANG
 CHINTAMAN PARATE & ANOTHER)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri R.S. Sundaram, counsel for petitioners.
 Shri S.G. Joshi, counsel for R-1.
 Shri A.M. Joshi, A.G.P. for R-2.

CORAM : A.S. CHANDURKAR, J.

DATE : APRIL 18, 2019.

C.A.W. NO. 993/2019.

By this application, it is prayed by the respondent no.1 that action be initiated against the petitioners for violating the orders dated 13.04.2015 and 14.12.2017.

According to the respondent no.1, despite the aforesaid orders requiring the petitioners not to fill in the post to which the respondent no.1 is entitled and in the light of the fact that the respondent no.1 claims entitlement to a post reserved for the Scheduled Tribe category, it is submitted that in view of the steps taken by the petitioners to fill in such posts, action deserves to be taken against them.

Reply has been filed on behalf of the petitioners in which it is stated that the vacancies sought to be filled in are in subject of Mathematics. The respondent no.1 is qualified to teach the subject of English Literature and therefore question of keeping the post vacant at this stage would not arise.

Considering the fact that on 24.04.2019, the petitioners have been permitted to fill in the post by issuing an advertisement which has been accordingly done and in the light of the fact that

the subject in question is Mathematics which the respondent no.1 is not qualified to teach, the question of taking action against the petitioners at this stage would not arise. By clarifying that appointment made by petitioners to the aforesaid post would be subject to the outcome of the petition, civil application is disposed of.

C.A.W. NO. 1552/2016.

In the light of the permission granted by the respondent no.2 vide communications dated 24.02.2019 and 10.04.2019, the prayer in the application stands granted. Civil application is accordingly disposed of.

JUDGE

APTE