

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

WRIT PETITION NO. 1313 OF 2020

Daulat Madhav Munde

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Shivkumar K. Mathpati, Advocate for the Petitioner.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 21ST JANUARY, 2020.

FINAL ORDER :

. We have heard Mr. Mathpati, the learned advocate for the petitioner. The learned advocate for the petitioner submits that, the petitioner is senior to the respondent No. 4. But as against the claim of the petitioner, the respondent No. 4 is appointed as Head Master and approval is granted to him.

2. The case of the petitioner is that the respondent No. 4 has superseded the petitioner. In view of Sec. 9 of the M. E. P. S. Act, the petitioner has remedy before the School Tribunal. While challenging the supersession, the incidental orders of the approval can also be gone into by the School Tribunal.

3. In the light of the above, the writ petition is disposed of

with liberty to the petitioner to avail the alternate remedy. All contentions of the petitioner are kept open. No costs.

[SHRIKANT D. KULKARNI, J.] [S. V. GANGAPURWALA, J.]

bsb/Jan. 20