

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.1894/2017

(Pramod Deshmukh V The State of Maharashtra and others)

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

Court's or Judge's orders

Shri Samarth, Sr. Advocate assisted by Shri R.J. Mirza, Adv for petitioner.
Shri P.R. Puri, Adv for resp. no.2.
Smt. Chaudhari, Adv h/f Shri A.R. Sambre, Adv for resp. no.5.
Shri Balpande, AGP for resp. nos. 1, 2 and 4.

CORAM : V.M. DESHPANDE AND
S.M. MODAK, JJ.

DATE : 02-03-2020.

In this Writ Petition on 30-03-2017, after considering the decision of the Hon'ble Apex Court in Civil Appeal No.14735/2015 in between the parties to this present Writ Petition, has granted interim relief in favour of the present petitioner in the nature of mandatory ad-interim relief. By virtue of the said, the petitioner is permitted to continue the post of Principal in respondent no.5 till he attains the age of 65.

2. Senior Advocate Shri Samrath for the petitioner, Shri Balpande, learned AGP for respondent nos 1, 2 and 4, Shri P.R. Puri, learned Counsel for respondent no.3 and Smt. Chaudhari, learned Counsel for respondent no.5 submit that in view of interim order passed by this Court the petitioner is in service and is discharging his duties as Principal.

3. In view of the observations of the Hon'ble Apex Court in paragraph 13 of the judgment dated 29-12-2015, it could be seen that it was nobody's case before the Hon'ble Court that the petitioner was not having educational qualification to hold the post of Principal.

4. The present Writ Petition is disposed of by making the interim order dated 30-03-2017 absolute.

5. Needless to mention that the petitioner will be entitled to receive all the consequential retiral benefits from the date of his superannuation.

6. Writ Petition is disposed of. No costs.

(S.M. Modak, J.)

(V.M. Deshpande, J.)