

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

WRIT PETITION NO. 2740/2018

Ramesh K. Suryavanshi
..VS..

Bhartiya Budda Dhamma Dyan Vidyalaya Shakha, Nagpur & ors.

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

Court's or Judge's orders

Mrs. Kalpana Pathak, Advocate for the petitioner
Shri B.H. Shambharkar, Advocate for the respondent nos. 1 and 2
Shri A.A. Madiwale, AGP for the respondent no. 3
Shri A.M. Ghare, Advocate for the respondent no. 4

CORAM : N.B. SURYAWANSHI, J.

DATED : 05/02/2020

1] The petitioner is working in the respondent no. 2 – College, run by the respondent no. 1. By this petition, the petitioner challenges the judgment of the School Tribunal in Appeal STN No. 93/1995 by which the Tribunal allowed the appeal and set aside the termination order of the respondent no. 4.

2] The said decision of the School Tribunal was also challenged by the respondent no. 1 and 2 by filing W.P. No. 2798/2018, wherein the present petitioner is party respondent no. 3.

3] When this petition was filed, there was only one post available with the respondent nos. 1 and 2. The petitioner apprehended that if the petition filed by the management i.e. W.P. No. 2798/2018 is dismissed, then the respondent no. 4 in the present petition will have to be reinstated on the only post available and the petitioner's

service will be in jeopardy. Hence, the petitioner filed the present petition.

4] It is informed at the bar that subsequently two sanctioned posts were available. The petitioner is working on one post and the respondent no. 4 on his reinstatement is working on the other. W.P. No. 2798/2018 is dismissed.

5] In the light of the above, this petition is rendered infructuous and the same is accordingly **disposed of** as infructuous.

JUDGE

ANSARI