

(1)

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

CIVIL APPLICATION NO.11888 OF 2021
IN WP/6813/2020 WITH WP/6813/2020

MARUTI BHAGANNA CHONDIKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr. V.D. Patnurkar, Advocate for applicant;
Mr. S.R. Yadav-Lonikar, A.G.P. for respondent nos.1 to 4;
Mr. Vikram Sarse, Advocate holding for Mr V.S. Kadam, Advocate for
respondent no.5

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, J.**

DATE : 26th November 2021

ORAL ORDER :

1. Initially the petitioner had put forth prayer clauses (B) and (C) in the petition. By the Civil Application, the petitioner intends to challenge his supersession and the appointment of Shri Narayan D. Pande as the Head Master of the school. Grievance is that Shri Pande is below the petitioner in seniority list and has superseded the petitioner in the matter of promotion as a Head Master.

2. We find that Section 9 (1) (b) of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 provides a statutory remedy to the petitioner, which is efficacious.

3. In view of the above, this petition is disposed off with liberty to the

(2)

petitioner to avail of the statutory remedy. The time spent by the petitioner in this Court from 24.9.2020 till the passing of this order, shall be considered as a good ground for condonation of delay.

4. The Civil Application, therefore, does not survive and stands disposed off.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

amj