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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4726 OF 2021

The Rahul Education Society

... Petitioner

Versus

Daya Raghunath Mandare and Anr.

... Respondents

Mr. Nitin B. Patil for the Petitioner.

Mr. Narendra V. Bandiwadekar a/w Mr. Vinayak R. Kumbhar i/by
Mrs. Ashwini Navjyot Bandiwadekar for the Respondent No.1.

Mr. N. K. Rajpurohit, AGP for the State-Respondent No.2.

**CORAM: R. D. DHANUKA AND
R. N. LADDHA, JJ.**

DATE : 17th DECEMBER, 2021.

P.C. :-

. By this petition filed under Article 226 of the Constitution of India, the petitioner has impugned the order dated 8th December, 2020 passed by the respondent no.2 annexed at page 106 of the petition refusing to grant permission to suspend the services of the respondent no.1 applied by the Management.

2. It is the case of the petitioner that the petitioner has already terminated the services of the respondent no.1 vide letter dated 20th February, 2020 annexed at page 25 of the petition. Statement is accepted.

3. *Per-contra*, Mr. Bandiwadekar, learned counsel for the respondent no.1 state that the said so called termination letter dated 20th

February, 2020 has not been implemented by the Management. His client continues to work in the school run by the Management as Head Mistress. The respondent no.1 is also getting salary for the work being done from the Management. Statement made by the learned counsel is accepted.

4. We are not inclined to go into the issue whether the so called letter dated 20th February, 2020 by the Management purporting to terminate the services of the respondent no.1 is implemented or not.

5. The subject matter of this petition is order dated 8th December, 2020 passed by the Education Officer (Secondary) rejecting the permission applied by the Management to suspend the services of the respondent no.1. In our view, even if stand of the petitioner is accepted, the order dated 8th December, 2020 refusing to grant the permission to suspend the services of the respondent no.1 has become redundant. No reliefs thus can be granted in this writ petition.

6. Writ Petition is dismissed accordingly. There shall be no order as to costs.

[R. N. LADDHA, J.]

[R. D. DHANUKA, J.]