

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1540 OF 2004

Shri Prakash Tulshiram Kadam.

...

Petitioner.

V/s.

The State of Maharashtra and others.

...

Respondents.

None for the Petitioner.

Mrs.P.N.Diwan, AGP for the State.

CORAM : **NITIN JAMDAR AND
C. V. BHADANG, JJ.**

DATE : **24 March 2021.**

P.C. :

By this petition, the Petitioner has sought a direction to Respondent Nos.1 to 4 approve B.Ed. Scale to the Petitioner.

2. The Petitioner is working with Respondent N.5- School. Respondent No.5 addressed a communication to the Education Officer (Secondary) on 31 October 2002 to approve the B.Ed. Scale to the Petitioner. However, since no decision was taken, the Petitioner filed present petition. A reply affidavit was filed by the Education Officer on 20 April 2004 stating that a decision regarding the prayer/proposal of the Petitioner could not be taken since there

was *inter se* dispute in respect of seniority within the Respondent-Management. It was stated that the decision would be taken once the dispute is resolved. Thereafter, another affidavit dated 4 March 2009 was filed by the Education officer in this petition wherein it is stated that the Respondent Management has resolved the dispute in respect of seniority and prepared a seniority list as per Schedule-F to the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981. It is further stated that a proposal in respect of petitioner's scale was submitted on 9 April 2009 and the approval was granted on 6 May 2008.

3. In view of the above, the grievance made in the petition is redressed. No further affidavit is filed nor any amendment is made. In view of the affidavit dated 4 March 2009, nothing survives in this petition. Petition is accordingly disposed of. No order as to costs.

(C.V. BHADANG, J.)

(NITIN JAMDAR, J.)