

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5708 OF 2021

The President, Rajashri.Shahu Shikshan
Sanstha & Anr.

... Petitioners

Vs.

Rajendra Maruti Patil & Ors.

... Respondents

Mr.Sudhir C. Halli, for the Petitioners.

Mr.P. P. Kakade, Government Pleader with Mr.C.D.Mali, AGP for the
State.

CORAM : G.S. KULKARNI, J.

DATE : 27 September, 2021

P.C.:

1. Challenge in this petition is to an order dated 5 January 2019 passed by the learned Presiding Officer, School Tribunal, Kolhapur, whereby the appeal filed by respondent no.1 challenging the order of otherwise termination dated 22 November 2016 has been set aside, with a further direction to reinstate respondent no.1 to the original post with consequential benefits, seniority increment and continuity of service and with a direction of implementation of the said order within forty days from the date of the said order. However, the prayer for full back-wages was rejected.

2. It is not in dispute that the petitioner-management has complied with the said order however with some initial resistance, inasmuch as when respondent no.1 reported for duties on 14 February 2019, he was prevented from joining on a specious ground that the petitioners were taking steps to challenge the order passed by the tribunal. Ultimately on 26 April 2019, respondent no.1 was permitted to join the duties and on the same day, a show cause notice-cum-suspension order came to be issued in contemplation of an inquiry to be conducted.

3. Considering the above facts, once the management permitted respondent no.1 to join the duties, the challenge to the impugned order passed by the School tribunal interalia directing reinstatement of respondent no.1, no more survives. Thus the writ petition does not require any further adjudication.

4. Disposed of in the above terms. No costs.

(G.S. KULKARNI, J.)