

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO.2023/2020

Nitin Balkrushanaji Dange
..Vs..
State of Maharashtra and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. P P Thakare, Advocate for the petitioner.
Mr. N.R. Patil, A.G.P for respondent Nos.1 to 3.
Mr. P S. Verma, Advocate for respondent No.4.

**CORAM :- SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.**

DATED :- 31.8.2021.

Heard.

2. The order of transfer of the petitioner in Chandrapur school has been cancelled. Now, the main grievance of the petitioner is redressed. The ancillary grievance of the petitioner is that petitioner is not being permitted to resume his duty as Headmaster at respondent No.4 school and this seems to be the bone of contention between the petitioner and respondent No.4. However, we find that as the main grievance of the petitioner has already been redressed, ancillary issue of treating absence of the petitioner from the school as authorized or unauthorized would have to be considered by the school authorities in consultation with the Project Officer. But, for that there is no need for keeping this petition pending. Accordingly, we direct respondent

No.4 to permit the petitioner to resume his duty as Headmaster in the school w.e.f. 1st September, 2021 and in order to facilitate compliance with this order such permission shall be granted by respondent No.4 in the presence of respondent No.3, who shall make it convenient to remain present at the time of taking over of charge by the petitioner. This is subject to the condition that the petitioner shall make an application for grant of leave for the period of his absence from the school and on receipt of the application, same shall be decided by respondent No.4 in accordance with law, within a period of two weeks from the date of the application. If any grievance in that regard arises for any of the parties hereto, liberty is always available to the aggrieved parties to approach this Court. Writ petition is **disposed of** in the above terms. No costs.

3. Learned A.G.P shall communicate this order to the Project Officer - respondent No.3.

4. Authenticated copy of the order be furnished to the learned counsel for the petitioner, learned A.G.P and learned counsel for respondent No.4.

JUDGE

JUDGE