

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

4 WRIT PETITION NO.1342 OF 2022  
WITH CA/2409/2022 IN WP/1342/2022 WITH  
WP/2858/2022

GRAM PARSAR VIKAS SHIKSHAN SANSTHA THR ITS  
SECRETARY SAMBHAJI RAGHU MHASKE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Thombre S. S. & Mr. B. R. Kedar,  
respectively.  
AGP for Respondents-State : Mr. S. B. Yawalkar.  
Advocate for Respondent No.5 : Mr. Ramrao D. Biradar.  
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**CORAM : R. D. DHANUKA, AND  
S. G. MEHARE, JJ.**

**DATE : 21.03.2022**

**PER COURT :-**

1. In both these petitions, the Management has impugned the order passed by the Deputy Director of Education, Latur on 09.11.2021 thereby setting aside the order of dismissal of respondent No.5 issued by the Management in both these cases.

2. During the course of hearing, we called upon the learned AGP for the State to point out the provision, if any, in M.E.P.S.

Act empowering the Deputy Director of Education to set aside the order of termination of the services of the employee. The learned AGP, on instructions from Dr. Ganpat More, Deputy Director of Education, Latur states that the impugned order dated 09.11.2021 stands withdrawn. Dr. Ganpat More, Deputy Director of Education, Latur is present in Court.

3. In view of the statement made by the learned AGP, on instructions from the Deputy Director of Education, both these petitions are disposed off as infructuous. The parties, whose services are terminated by the Management are at liberty to avail the remedy as is available in law to file appropriate proceedings. No order as to costs.

4. In Writ Petition No.2858 of 2022, the petitioner has brought on record certain alleged illegal approval granted by the Education Officer. It is made clear that this Court has not gone into the said allegations made by the petitioner in the present writ petition. The petitioner would be at liberty to file appropriate proceedings.

5. In view of disposal of both the writ petitions, Civil Application does not survive. The learned AGP assured this

Court to advise the Deputy Director of Education not to pass such illegal order in future. Assurance is accepted.

(S. G. MEHARE, J.)

(R. D. DHANUKA, J.)

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vmk/-