

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

903 WRIT PETITION NO.5904 OF 2019

**VINAYAK HARI RATHOD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr.V.S. Panpatte, advocate for the petitioner
Mr.P.S. Patil, Addl. G.P. for respondent nos.1 and 2.
Mr.C.V. Thombre, advocate for respondent nos.3 and 4.

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**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 31.03.2022

P.C. :

1. This matter was heard for quite sometime on 29.03.2022 and today.
2. After considering the submissions of the learned counsel appearing for the parties, we noticed that the Management has taken a specific stand on oath that the petitioner has been disengaged from 5th December, 2018 after having been appointed in November, 2017.
3. The learned advocate for the petitioner submits, on instructions from the petitioner who is present in the Court, that he would prefer to challenge his termination

dated 05.12.2018, which he never knew till today and he would accordingly file an application for condonation of delay to bring it to the notice of Tribunal that it is only through the affidavit in reply filed by the Management through Headmaster on 30.03.2022 that the theory of termination is put-forth.

4. In view of the above, this petition is disposed off with liberty. Needless to state, in the application for condonation of delay to be filed by the petitioner, the time spent by the petitioner in this Court from 18.03.2019 till passing of this order, would also be a good ground.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)

SGA