

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6406 OF 2022
WITH CA/11021/2022 IN WP/6406/2022

BANDU SAVALERAM GAIKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.C.K.Shinde, Advocate for the petitioner.
Mr.A.R.Kale, AGP for respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)

DATE : JULY 26, 2022

PER COURT :

1. This petition is at pre-notice stage. By the civil application, amendment is proposed at page Nos. 6 to 8 annexed to the civil application.

2. In view of the above, the civil application is allowed. Amendment be carried out on or before 05.08.2022. A copy of the freshly typed amended memo of the petition would also be placed on record on 05.08.2022.

3. Post amendment, issue notice to the respondents, returnable on 12.09.2022. The learned AGP waives service of notice on behalf of respondent Nos. 1, 2 and 4.

4. The petitioner contends that as the petitioner is the Incharge Headmaster, he should be continued in the said capacity. The record reveals that another teacher has been appointed as Headmaster and his appointment has been approved. Without hearing the said candidate and without verifying the records, an Incharge Headmaster cannot be protected, moreso, for the reason that an Incharge Headmaster has no vested right. Hence interim relief is refused.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)