

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

WRIT PETITION NO.8729 OF 2022

**KAKASAHEB KACHRU SUSTE
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTHERS**

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Advocate for the Petitioner : Shri Shinde Baliram B.
AGP for the Respondents/State : Shri P.K. Lakhotiya

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 21st October, 2022

Per Court :-

1. The learned advocate for the petitioner has canvassed before us, in the light of the pleadings and prayers, that the reason for him to question the appointment of respondent No.5 as the Headmaster is that he is junior to the petitioner, the petitioner being senior should have been appointed as Headmaster and the petitioner has been, therefore, superseded.

2. Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, permits challenge to the supersession.

3. The learned advocate for the petitioner submits that

his unpaid salary is also an issue involved. For this purpose, the petitioner can approach the Education Officer and make a representation for the unpaid salary and the Education Officer would consider the said representation within six weeks from the date of tendering of the same, by considering the records pertaining to the attendance of the petitioner.

4. In view of the above, this Writ Petition is disposed off with liberty to the petitioner to challenge the supersession before the learned School Tribunal and claim unpaid salary.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)