

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8716 OF 2022

RAMESHWAR VINAYAK ATOLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
DIRECTOR OF EDUCATION AND OTHERS

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Advocate for the Petitioner : Shri Kedar Shrimant R.
AGP for the Respondents/State : Shri P.S. Patil

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

DATE :- 17th October, 2022

Per Court :-

1. The petitioner has put forth prayer clauses B and C
as under :-

“B) *By issuing writ of mandamus or order or any other writ or direction in the like nature, to direct the respondent no.1 and 2 to modify the approval order dated 16.12.2013 bearing outward no.170/172 and grant approval in favour of the petitioner for the subject Marathi and Political Science w.e.f. 29.06.2009 and for that purpose may kindly be issued necessary orders/ direction.*

C) *By issuing writ of mandamus or order or direction in the like nature, to direct the respondent no.4 and 5 not to insist to the petitioner for completion of post graduate study in the Sociology subject because there is strictly prohibition as per the guidelines of UGC and for that purpose may kindly be issue necessary orders/ directions.”*

2. Considering that the cause of action that arose on 29.06.2009 (13 years ago) and on 16.12.2013 (09 years ago), we are not inclined to entertain this petition.

3. The petitioner has already been terminated from service on 27.11.2017. Appeal No.37/2017 is closed for judgment before the School Tribunal, Aurangabad. This was the statement made before the learned Single Judge in Writ Petition No.14759/2021, which was dismissed on 14.07.2022 concerning the interlocutory order pertaining to denying the petitioner leave to amend his appeal.

4. In view of the above, this Writ Petition is disposed off.

5. However, the petitioner would be at liberty to raise all his grievances and claims, in the event he succeeds before the School Tribunal.

6. Since the proceedings before the School Tribunal are closed for judgment since July, 2022, we expect the School Tribunal, Aurangabad, to deliver it's judgment on or before 15.11.2022.