

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5746/2012

Tanvir Ahmed Khan Shabbir Khan Vs. Masumiya Urdu Education Society and Ors.

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Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders

Court's or Judge's order

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Mr. P S. Patil, Advocate for Petitioner.
Mr. S. M. Ghodeswar, A.G.P. for Respondent No.3/State.
Mr. U. A. Gosavi, Advocate for Respondent Nos.1 and 4.
Mr. Vijaykumar Paliwar, Advocate for Respondent No.2.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..
DATED : 27.01.2023

. Shri Patil, learned Counsel for the petitioner submits that the petitioner is present in Court today and he intends to prosecute the writ petition further. The Petitioner submits that after dismissal of the appeal preferred by him under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 that judgment has not been further challenged. As a result, the petitioner is out of employment.

2. In this writ petition a declaration is sought that the proposal dated 19.03.2011 submitted to the office of the Education Officer (Secondary) be decided and approval be granted to the appointment of the petitioner. As stated in the order dated 19.01.2023 the services of the petitioner have been terminated on 17.11.2014. The order of termination has now attained finality since the petitioner has not challenged the judgment dated 13.12.2019 passed by the School Tribunal. In these facts, no purpose would be served by directing the Education Officer (Secondary) to consider

and decide the proposal dated 19.03.2011 seeking approval to his appointment. Needless to state that if the petitioner succeeds in getting services reinstated, he is free to take such steps as are permissible in law for redressal of his grievance.

3. With these directions, the writ petition is disposed of.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

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