



Gaikwad RD

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**WRIT PETITION NO.2859 OF 2006**

Deepak Bhausahab Kate

...Petitioner

*Versus*

Rayat Shikshan Sanstha &amp; Ors.

...Respondents

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*None for the Petitioner.***Mr. Milind Deshmukh**, *for Respondent No.1.***Mr. P. P. Kakade, Government Pleader**, *with Mr. O. A.**Chandurkar, Addl. GP, & Mr. A. R. Metkari, AGP, for the  
Respondents No.3 and 4.*

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**CORAM Dr. Neela Gokhale, J.****DATED: 10<sup>th</sup> January 2024****PC:-**

1. The learned Government Pleader (Appellate Side) had circulated in the Registry a list of old infructuous matters so that these matters could be listed and disposed as infructuous. This petition is one such matter.

2. The petition has challenged the judgment and order dated 27<sup>th</sup> February 2006 passed by the School Tribunal, Pune Region, Pune. By the impugned order the termination of the Petitioner dated 31<sup>st</sup> October 2004 was upheld by the School Tribunal and the Respondents No.1 and 2 were directed to consider appointing the Petitioner as Assistant Teacher in place of another teacher who has

resigned, in view of the satisfactory work put in by the Petitioner as a temporary employee.

3. The writ petition was admitted by an order dated 7<sup>th</sup> August 2006. However, interim relief was refused. Mr. Deshmukh, learned counsel for Respondent No.1 says that the Petitioner was not appointed as an Assistant Teacher since there was no post available.

4. None appears for the Petitioner today.

5. It appears that the Petitioner is not interested in pursuing the matter. The petition is dismissed for want of prosecution.

**(Dr. Neela Gokhale, J)**