

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14024 OF 2024

Ashok Shiodhan Chandak

...Petitioner

Versus

The State Of Maharashtra & Anr

...Respondents

Mr. Yuvraj Narvankar a/w. Ms Raufa A. Shaikh for the Petitioner.

Mr. P. P. Kakade, Addl. GP a/w. Mr. V. M. Mali, AGP for the Respondent

No. 1

Ms Neha Wadekar for the Respondent No. 2

**CORAM : RAVINDRA V. GHUGE &
M. M. SATHAYE, JJ.**

DATE : 22nd OCTOBER, 2024.

P.C.:-

1. The aspect that needs adjudication is whether the Petitioner is eligible to be appointed as the Principal and if it is so concluded by this Court that he is eligible to be the Principal, the next issue would be as to whether he would be able to work as a Principal for a tenure of 5 years upto the age of 65. He is superannuating as per the normal date of retirement on 31/10/2024.

2. In view of above, **issue notice to the Respondents, returnable on 18/11/2024.** The learned A.G.P. waives service of notice on behalf of Respondent No. 1. Ms Wadekar waives service of notice on behalf of

Respondent No. 2.

3. Let the affidavit-in-reply be filed on or before 14/11/2024.
4. If time permits, we are likely to hear this Petition finally on the returnable date.
5. If any person is appointed as a Principal in place of the Petitioner after the superannuation of the Petitioner, no equities would be created in favour of the new appointee. We also clarify that if we conclude in favour of the Petitioner, he would be entitled for all the service benefits.
6. Office objections, if any, shall be removed on or before 13/11/2024, failing which, this Writ Petition shall stand dismissed without reference to the Court, on 14/11/2024.

(M. M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)