



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

WRIT PETITION NO. 6060 OF 2016

(Sunil s/o. Haridasji Thamke Vs. State of Maharashtra and others)

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

Court's or Judge's orders

Mr. R.J. Mirza, Advocate for petitioner.
Mr. H.D. Marathe, Assistant Government Pleader for respondent Nos. 1 to 3.
Mr. D. Mohagaonkar, Advocate h/f Mr. A.D. Mohagaonkar, Advocate for
respondent Nos. 4 and 5.

**CORAM : NITIN W. SAMBRE &
ABHAY J. MANTRI, JJ.**

DATED : 29-08-2024

Heard learned Counsel for the parties.

2. Mr. Mirza, learned Counsel for the petitioner has invited attention of this Court to the communication dated 13.8.2024 placed on record along with the affidavit of the petitioner dated 26.8.2024. According to him, respondent No. 5 Headmaster of the School has already communicated to the respondent No. 3 Education Officer that there is no surplus teacher in the School.

3. In the aforesaid background, Mr. Mirza would claim that the petition needs to be allowed as the impugned order becomes non-consequential in regard to prayer made in the petition.

4. In view of the above, since the communication is issued by respondent No. 5 School, we are of the view that the petition can be disposed of.

5. In case, respondent No. 3 – Education Officer has any intention to declare the services of the petitioner as surplus, we expect from him to hear the respondent No. 5 School and pass an appropriate order in the matter.

6. The petition is disposed of accordingly.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Belkhede