



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 174 OF 1999

Shaikh Rashid Fattubhai .. Appellant

Versus

Manager, Saint Teressa Primary
School, Shrirampur and others .. Respondents

Shri Anil S. Bajaj, Advocate for the Appellant.
Shri Sanjay S. Dudhane, Advocate h/f Shri V. R. Dhorde for the
Respondent Nos. 1 to 3.

CORAM : SHAILESH P. BRAHME, J.
DATE : 17TH JULY, 2025.

FINAL ORDER :

. Learned counsel for the appellant seeks time as instructions are awaited from his client.

2. Learned counsel for the respondent tenders on record photo copy of latter dated 28.03.2025 issued by his client informing that appellant stood superannuated on 28.02.2017 and he is receiving pension. A copy of written instructions is taken on record and marked as Exhibit – X.

3. Appellant had filed suit for declaration and injunction challenging order of transfer dated 25.04.1992 from Harigaon to Suregaon. The suit was decreed, but lateron appellate Court reversed the decree. Appellant resumed the post at Suregaon

on 09.10.1992 and thereafter superannuated on 28.02.2017. It is stated in the written instructions that he does not have any grievance. In that view of the matter, nothing remains to be decided and the appeal has become virtually infructuous. Second appeal is disposed of as infructuous.

[SHAILESH P. BRAHME J.]

bsb/July 25