

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

WRIT PETITION NO. 13503 OF 2024

Kisanrao More Education Society & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Prashant Bhavake, Advocate for the Petitioners.

Ms. P.N. Diwan, AGP for the Respondent – State.

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 5th FEBRUARY, 2025

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P.C. :-

1. This Petition was filed for seeking a direction to the Education Officer to decide the pending proposal for seeking approval to the appointment of Petitioner No.3.

2. The learned AGP tenders a copy of the order dated 28th July, 2024 before us, by which the proposal has been rejected. The photostat copy of the said communication is marked as 'X' for identification.

3. The learned Advocate for the Petitioners is justified in expressing a grievance that if this order was passed on 28th July,

2024, why was Petitioner No.3 not informed or communicated the said order. Keeping this contention open, he desires to withdraw this Petition so as to tender a fresh Petition for challenging the said order, copy of which has been received by him today in the Court.

4. In view of the above, this **Writ Petition is disposed off** as withdrawn, on instructions with liberty to file a fresh Petition. All contentions of the parties are kept open.

5. In view of the peculiar facts as above, since Petitioner No.3, is still in employment and the lack of approval cannot be a ground for termination in the light of the Full Bench Judgment of this Court in *St.Ulai High School V/s. Devendraprasad Jagannath Singh, 2007 (1) Mh.L.J. 597*, we grant protection to Petitioner No.3, as against termination for a period of 30 days.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)