

Sequeira

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

WRIT PETITION NO. 9723 OF 2013

Shri Warana Shikshan Sanstha
Aitawade Khurd & anr.

.. Petitioners

Vs

Ashok Shankar Bhosale & ors.

.. Respondents

Mr.S.S.Patwardhan, for Petitioner.

Mr.L.S.Deshmukh, for Respondent No.1.

Mr.A.D.Kango- Assistant Government Pleader, for Respondent No.2

***CORAM: N.M.JAMDAR, J.
Thursday 28 August, 2014***

P.C.:

Heard learned counsel for the parties for confirmation of interim relief. By order dated 17 February 2014, Rule was issued and the petition was admitted. The rule or interim relief was made returnable and ad-interim relief in terms of prayer clause (b) was granted.

2 Having heard the learned counsel for the parties, in my opinion the following interim arrangement pending the hearing of the petition will be in the interest of justice-

i) Ad-interim relief granted on 17 February 2014 shall continue till the disposal of the petition.

ii) It will be open to the Respondent No.1 to make an application to the Education authority for absorption, on the basis of the finding

rendered by the School Tribunal in the impugned judgment that the Petitioner was duly appointed by following due procedure of law and on a clear and permanent vacancy.

iii) When such an application is made by the Respondent No.1, the Education authorities will consider the same on it's own merits.

iv) The above liberty is without prejudice to the rights and contentions of the Petitioner.

N.M.JAMDAR, J.