

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

WRIT PETITION NO. 9542 OF 2023

Kailas Narhari Sangale and Ors. Petitioners

V/s.

State of Maharashtra through the
Secretary, School Education and
Sport Department and Ors. Respondents

Mr. M.M. Vashi, Senior Advocate with Ms. Manisha Desai i/b. M/s.
M.P. Vashi & Associates for the Petitioners
Mr. N.K. Rajpurohit, AGP for the Respondent - State

***CORAM: NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.***

DATE: 29 SEPTEMBER 2023

P.C. :-

Heard the learned Counsel for the parties.

2. It is pointed out to us that the main prayer in the Petition is as under :-

“(c) That a writ of certiorari or any other writ, order or direction be issued calling for the records and files of Original Application No. 634 of 2017 and other companion original applications and after going into the legality and validity of the order dated 4th October 2018

(Exhibit G), order dated 1st February 2019 (Exhibit H) and order dated 9th April, 2019 (Exhibit I) passed by the Maharashtra Administrative Tribunal, quash and set aside the same.”

3. The learned AGP points out that by judgment and order dated 21 September 2023 in Writ Petition No. 11527 of 2023 filed by the State of Maharashtra, the order passed by the Maharashtra Administrative Tribunal in Original Application No. 634 of 2017 and the order passed in Review Application thereafter have been set aside. As far as the challenge to the order of the Tribunal as above is concerned, nothing survives in this Petition.

4. As regard the other issues raised, the Petitioners have directly approached this Court without approaching the Maharashtra Administrative Tribunal which is the Court of first instance. The learned Counsel for the Petitioners states that the Petitioners would agitate the other grievances made in this Petition before the appropriate forum/Tribunal.

5. The Writ Petition is accordingly disposed of.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.