

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11974 OF 2014

SHREE SANT DNYANESHWAR SHIKSHAN MANDAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioners : Shri Bhokarikar M.M.
AGP for Respondent 1 : Smt. Shelke S.D.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: August 01, 2015

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PER COURT :-

1. I have heard the learned Advocate for the petitioner for sometime. I have shown my disinclination to interfere with the impugned order dated 7.3.2014, passed on application Exhibit 55 which was an attempt by the petitioner to stall the adjudication of Appeal No.48 of 2011 when the final arguments were being advanced before the School Tribunal.

2. Shri Bhokarikar, learned Advocate for the petitioner, therefore, submits that the appeal before the Tribunal may be decided on its own merits by keeping contentions of the litigating sides open and liberty to the petitioner to take out a comprehensive challenge in the event the judgment of the School Tribunal in Appeal No.48 of 2011 is prejudicial to the petitioner be granted

3. Considering the above, this petition is disposed off. The School Tribunal shall proceed to decide Appeal No.48 of 2011 expeditiously. Contentions of the litigating sides to the said appeal are obviously kept open since the Tribunal is hearing the litigating sides on merits. In the event, the appeal is decided against the petitioner, the petitioner shall avail of such legal remedy as is permissible in law.

(RAVINDRA V. GHUGE, J.)

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