IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.248 OF 2015

GAHININATH SEVA MANDAL, THROUGH ITS PRESIDENT VIJAYKUMAR KARBHARI GHOLHAR — PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS — RESPONDENTS

Mr.V.M.Chate, Advocate for the petitioner.
Mr.D.J.Choudhari, Advocate for respondent No.3.
Mr.D.R.Korde, AGP for respondent/State.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 27/01/2015

PER COURT :

1. Appeal No.24/2012 is instituted by respondent No.3 against the petitioner before the School Tribunal. Application Exh.22 was filed by respondent No.3 seeking production of documents in the light of rival pleadings of the parties. By the impugned order dated 19/11/2014, the Tribunal has allowed Exh.22 and directed the petitioner to produce all the documents mentioned from Clause (a) to (i) set out in Exh.22.

2. The grievance of the petitioner/Institution is that the

concerned Institution was granted approval in the year 2002. Documents set out in clause (a) to (i) below Exh.22 are not required. Learned Advocate for the petitioner had canvassed its submissions at length. The petitioner had opposed production of all the documents.

3. Mr.Chaudhari, learned Advocate appearing for respondent No.3 has canvassed in support of the production of documents as set out in Exh.22.

4. I have considered the rival submissions and the pleadings of the respective sides. Issue is as regards documentary evidence to prove employment of respondent No.3 initially as an Assistant Teacher from 2002 and followed by being the In-charge Headmaster, the Senior Most employee in the 3 schools operated by the petitioner Institution, individual approvals and attendance record, details of bank accounts indicating payment of salaries and such other connected aspects.

5. With due circumspection, I find that the documents sought for in Clause (a), (b), (c), (f), (g) and (i) from the year 2002 onwards till 2014 would be germane to the cause of action. Documents at clause (d), (e) and (h) are not required.

6. In the light of the above, this petition is partly allowed. The impugned order is modified. The petitioner shall produce the documents at clause (a), (b), (c), (f), (g) and (i) for the year 2002 onwards till 2014 before the School Tribunal.

(RAVINDRA V. GHUGE, J.)