

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1197 OF 2015

[Pyarelal s/o Dhanlal Kotangale and one .vs. Samarth Ramdas Shikshan Sanstha, Amgaon and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S. Tembhare, counsel for the petitioners,
Shri P.N. Shende, counsel for the respondent nos.1 to 3,
Shri A.M. Ghare, counsel for the respondent nos.4 and 5,
Ms. N.P. Mehta, AGP for the respondent no.6.

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CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATED : OCTOBER 19, 2015.

Heard.

The learned counsel for the parties agree that issues that arise for consideration in this writ petition fell for consideration before this Court in Writ Petition No.2481/2014 and this court had, after hearing the parties, set aside a similar order passed by the 'Lok Adalat' dated 12.4.2014 in that case. It is stated that the proceedings filed by the respondent no.1 before the School Tribunal were revived, by the judgment dated 29.7.2015 in Writ Petition No.2481/2014 and the respondent no.1 therein was permitted to pursue the same on merits. It is stated that this court had directed the respondent no.1 to join the petitioner as well as the respondent no.2 to the said petition in the appeal filed before the School Tribunal, if he desired to prosecute the same. It is stated by the counsel for the parties that with the consent of the learned counsel for the parties, a similar order may be passed in this petition also.

Hence, for the reasons recorded in the judgment, dated 29.7.2015 in Writ Petition No.2481/2014, with the consent of the learned counsel for the parties, the writ petition is disposed of on the

following terms :

- (1) The order passed by the 'Lok Adalat', dated 13.12.2014 is hereby set aside and the same shall not be acted upon.
- (2) The proceedings filed by the respondent nos.4 and 5 before the School Tribunal would revive and it would be open for the respondent nos.4 and 5 to pursue the appeal on merits.
- (3) If the respondent nos.4 and 5 decide to pursue the appeal, the respondent nos.4 and 5 shall implead the petitioners, as party respondents, to the appeal before the School Tribunal.
- (4) There would be no order as to costs.

JUDGE

JUDGE

Gulande