

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

LETTERS PATENT APPEAL NO. 126/2013
IN WRIT PETITION No. 632/2011.

Shri Bandu Marotrao Satpute

-VERSUS-

Janajagriti Shikshan Prasarak Mandal, and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

**CORAM : B.P.DHARMADHIKARI &
S.B.SHUKRE, JJ.**

DATE : APRIL 22, 2015.

Heard Shri R.J. Mishra, learned Counsel for the appellant, Shri A.A. Naik, learned Counsel for respondent nos. 1 and 2 and learned A.G.P. for respondent no.3.

2. School Tribunal did not allow appeal under Section 9 of the Maharashtra Employees of Private School (Conditions of Service) Regulation Act, 1977 preferred by the present appellant after noticing that he was selected afresh after fresh advertisement in the year 1998, and was appointed till the session end. Though appellant contended that he was prohibited on

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13.02.1999 from signing the muster and this constitute otherwise termination, no grounds assailing it independently were taken and only emphasis was on deemed confirmation. The School Tribunal therefore, dismissed the appeal.

3. Learned Single Judge has accepted this reasoning of School Tribunal.

4. Even in present appeal, though termination dated 13.02.1999 is pointed out and it is argued that there is no finding recorded on it either by the School Tribunal or by the learned Single Judge, we find that a proper finding in the light of challenge as raised has been recorded by the Tribunal as also by the learned Single Judge. No case is therefore, made out. Letters Patent Appeal is, thus dismissed. No costs.

JUDGE

JUDGE

Rgd.