

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

MISC.CIVIL APPLICATION NO. 93 OF 2016

Prabodhan Vidyalaya, Shelgaon
Thr. its Head Master.

..... APPLICANT

V E R S U S

Keshav Banshi Gujar & Ors.

..... RESPONDENTS

**WITH
MISC.CIVIL APPLICATION NO. 94 OF 2016**

Prabodhan Vidyalaya, Shelgaon
Thr. its Head Master.

..... APPLICANT

V E R S U S

Devendra Raghunath Baviskar
& Ors.

..... RESPONDENTS

.....

Mr. S.R.Choukidar, Advocate for Applicant.

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CORAM : T.V.NALAWADE, J.

DATE : 18th APRIL, 2016

ORAL ORDER :-

. Both the applications are filed for transfer of some proceedings which are presently pending before the Presiding Officer of School Tribunal at Aurangabad. Heard learned counsel for the applicant.

2. It appears that there is dispute between respondent No. 1, original appellant of the proceeding and his employer, present respondent No. 2. Oral termination order was given by respondent No. 2 to respondent No. 1 and so the proceedings are filed. The present applicant is the Head Master of the school and if there is order allowing respondent No. 1 to resume the duty, he will join the school where present applicant is working as Head Master. It is the grievance of the applicant that before condoning the delay caused in filing Appeal, respondent Nos. 1 and 2 filed compromise before the School Tribunal. It is the case of the present applicant that he wants to challenge the said compromise, but the Tribunal is not giving him time and time was not given even for changing the Advocate. The applicant feels that he may not get fair opportunity before the Tribunal and so he wants transfer of the proceedings to other Tribunal. The employees involved in 2 proceedings are different but the contentions of the present applicant are the same. It is clear that the petitioner is trying to protract the things. As yet no order is passed by the Tribunal and the contentions made by the petitioner show that he is making attempt to delay the decision of the proceedings. He is Head master and it can be said that his acts are against the Management.

3. In view of these circumstances, this Court holds that no notice is required to be given to the other side.

4. Both Misc. Civil applications stand rejected.

[T.V.NALAWADE, J.]

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