

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

WRIT PETITION NO. 4601 OF 2016

Shaikh Mohd. Ashfqueddin

.. PETITIONER

VERSUS

Talat Shikshan Mandal
& others

.. RESPONDENTS

Mr. D.J. Choudhari, advocate for petitioner.
Mr. S.J. Salgare, AGP for the State.
Mr. A.M. Karad, advocate for respondents 1, 2 and 4.

=====

**CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 19th DECEMBER, 2016.**

PER COURT :

Petitioner is praying for issuance of direction to the School Tribunal, Aurangabad to decide the pending appeal tendered by petitioner, expeditiously. The appeal was adjourned sine die by order dated 23.02.2016 by learned Presiding Officer on the ground that respondent no. 2 thereunder i.e. management has objected to hearing of the appeal by the tribunal.

2. In identical circumstances, in respect of another employee, similar order was passed and the said employee had approached this Court by presenting Writ Petition No. 4688/2016 which was decided by learned Single Judge of this Court on 26.10.2016. The learned Single Judge while directing the School Tribunal to decide the appeal on its own merit, has directed the management to pay cost of Rs. 5,000/- to the petitioner thereunder and to

deposit amount of Rs. 10,000/- with the High Court Legal Aid Services Authority, Sub-Committee, Aurangabad within a period of four weeks.

3. Learned counsel for respondent-management states that the order has been complied with and after the date of issuance of order passed by the learned Single Judge, similar objections have not been raised before the School Tribunal any time and that the management is prepared to go on with the appeal pending with the School Tribunal at Aurangabad.

4. In this view of the matter, this petition stands disposed of with direction to School Tribunal to take decision in Appeal No. 37/2015 presented by petitioner, as expeditiously as possible, preferably within a period of six months from today and, it is accordingly directed. Writ petition stands disposed of.

(SANGITRAO S. PATIL)
JUDGE

(R. M. BORDE)
JUDGE

dyb