IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4601 OF 2016

Subhash Vidya Mandal & Anr. ….. Petitioners

VERSUS

Smt.Ratna Kashinath Bhor & Ors. ….. Respondents

Ms.Manjiri Parasnis for the Petitioners.

Mr.A.B.Metkari, A.G.P. for Respondent nos. 2 and 3.

CORAM : R.D. DHANUKA, J.

DATED : 14th JUNE, 2016

P.C.

By this petition filed under Article 227 of the Constitution of India, the petitioners have impugned the order dated 1st November, 2013 passed by the Presiding Officer, School Tribunal, Pune allowing the application filed by the respondent no.1 seeking condonation of delay of 443 days in filing appeal before the school tribunal.

2. Learned counsel appearing for the petitioners submits that though the respondent no.1 had not satisfactorily explained the delay of 443 days for filing appeal before the school tribunal, the school tribunal has without considering the reply of the petitioners have allowed the delay of 443 days in filing appeal.

3. I have perused the application filed by the respondent no.1 for seeking condonation of delay of 443 days, reply of the petitioners and also the impugned order passed by the school tribunal. A perusal of the application filed by the

respondent no.1 clearly indicates that the respondent no.1 had made large number of representations after the impugned order was passed by the management and the delay was properly explained. The school tribunal has considered the correspondence exchanged between the respondent no.1 and the authorities and has condoned the delay after having satisfied that the delay was satisfactorily explained by the respondent no.1. The school tribunal has rendered reasons while allowing the application for condonation of delay. The school tribunal has already imposed cost of Rs.2,000/- on the respondent no.1 while condoning the delay of 443 days. In my view there is no infirmity in the order passed by the school tribunal.

4. The petition is devoid of merits and is accordingly dismissed. No order as to costs. The school tribunal is directed to proceed with the hearing of the matter expeditiously.

[R.D. DHANUKA, J.]