

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12054 OF 2016

Shri. Babar Manohar Sonyabapu

.....Petitioner

V/s.

The President,
Yeshwantrao Chavan Shikshan,
Prasarak Mandal & Ors.

.....Respondents

* * * * *

Mrs. Kumud A. Bhatia, Advocate for the petitioner.

Ms. Ushajee Peri, Advocate for respondents no.1, 2, 3, 6 and 7.

CORAM :- SMT. R.P. SONDURBALDOTA, J.

DATED :- 24TH OCTOBER, 2016.

P.C. :-

1). This petition is to challenge the order dated 3rd August, 2016 by which the School Tribunal rejected the petitioner's application at Exhibit-12 for amendment of the petitioner's appeal before it. The appeal filed by the petitioner is under Section 9(1)(b) of the Maharashtra Employees of Private Schools (Service Regulations) making a grievance that the petitioner has been superseded in the matter of promotion. By way of amendment,

the petitioners desire to bring on record allegations of misconduct against respondents no.6, 7 and 8 to the appeal. Ms. Peri, the learned Advocate appearing for respondents no.1, 2, 3, 6 and 7 states that respondent no.8 to the appeal is no more. The Tribunal, while rejecting the application has opined that, respondents no.6 and 7 being senior to the petitioner, any allegation, even of misconduct against them can be of no relevance for the purpose of deciding the complaint of supersession and hence the same are not necessary. In these facts and circumstances of the case, there can be no infirmity in the order of the Tribunal. Hence, the petition is dismissed.

(SMT. R.P. SONDURBALDOTA, J)