

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION***

WRIT PETITION NO. 9689 OF 2015

Aqsa Girls High School (Urdu Medium)
Aqsa Educational Society Through its
Chairman and Ors.

... Petitioners.

V/s.

Mrs. Shabana Gulam Dastagir Momin.

... Respondent.

Mr. A.A. Garge for the Petitioners.

Mr. Iqbal A. Siddiqui a/w. Ms. Gauri Dhale for the Respondent.

Ms. Momin Yasmeen, Headmistress present.

Ms. Shabana Momin, Respondent present.

CORAM : N.M. JAMDAR, J.

DATE : 15 FEBRUARY, 2016.

P.C. :-

The learned Counsel for the parties state that the parties have amicably resolved their dispute and have executed Consent Terms. The learned Counsel state that the Consent Terms are signed by their respective clients who are present in the Court.

2. At the request of the learned Counsel for the parties, the Consent Terms are taken on record and marked 'X' for identification. For ready reference the Consent Terms are reproduced as under :-

- i. The Impugned Judgment & Order dated 23/07/2015 passed by the Ld. Presiding Officer, Additional School Tribunal, Navi Mumbai in Appeal No. 20 of 2014 is confirmed and the Respondent is deemed to be reinstated in service from 23/07/2015.
- ii. The Petitioners shall forward the proposal of Respondent for her salary from 23/07/2015 to the Education Department and the Education Department shall sanction and release the arrears of salary to the Respondent from 23/07/2015.
- iii. The Respondent to be reinstated back in the service by the Petitioners with all incidental and consequential benefits including increments due, provident funds contribution etc.
- iv. Considering physical disability of the Respondent, the Petitioners, though will reinstate and maintain the Respondent as an Assistant Teacher, will assign the Respondent library work in the library of the Petitioner's School.
- v. The Petitioners and the Respondent shall withdraw all the allegations made against each other oral as well as written including the allegations made against each other in School Tribunal and/or made before any other court of law or before the authority. The M. case No. 4 of 2016 filed before

JMFC Bhivandi by the Respondents against the Petitioner no. 3 stands disposed of as withdrawn/compounded.

- vi. The Petitioners and the Respondent will not make any claim, complaint monetary or otherwise against each other in any manner and by whatsoever nature, in future with respect to issue involved in the matter, except whatever agreed by this Consent Terms.

3. The Writ Petition is disposed of in terms of the Consent Terms.

4. It will be open to the parties to make appropriate request to the learned Judicial Magistrate First Class, Bhivandi for disposal of the complaint in light of the settlement of dispute between the parties.

(N.M. JAMDAR, J.)