

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2893/2014

Rashtriya Adivasi Yuvak Shikshan Sanstha, Nagpur, through its Secretary
..Versus..
Rajesh s/o Chandrabhan Sakharwade and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 6.1.2016

Heard Shri I.J. Damle, advocate for the petitioner and Ms. T.H. Udeshi, A.G.P. for respondent no.3. None appears for respondents 1 and 2.

The learned advocate for the petitioner has submitted that the complaint filed by the respondent no.2 could not have been entertained by the Labour Court as the respondent no.1 was required to avail the remedy of filing appeal under the Special School Code Applicable to Schools for Physically Challenged.

Whether the respondent no.1 could have availed the remedy of appeal or not is required to be considered. The petition raises

arguable points.

RULE.

The learned advocate for the petitioner has pointed out the copy of order dated 10th June, 2013 (Annexure 15 at page 105 of the paper book) which shows the name of respondent no.1 at serial no.5. This document shows that the respondent no.1 is appointed by the Maharashtra State Road Transport Corporation.

Considering the facts of the case, I am satisfied that the petitioner has made out a case for grant of interim order. During the pendency of the petition, the effect, operation and execution of the impugned order is stayed.

C.A.W. NO.1708/2014.

The filing of true translation of the documents in vernacular is dispensed on condition that the petitioner shall file the true translation as and when required by the Court. The civil application is allowed accordingly.

JUDGE