

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4075 OF 2016
WITH
CIVIL APPLICATION NO.1833 OF 2016

Barshi Education Society and another	Petitioners
versus	
The State of Maharashtra and others	Respondents

Mr.N.V.Bandiwadekar for Petitioners.
Mr.S.C.Kudale for Respondent no.5/for Applicant in CA
No.1833/2916.
Mr.Vijay Killedar for Respondent no.3.
Mrs.R.M.Shinde, AGP, for Respondents 1 and 2.

CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.

DATE : 23rd January 2017

PC :

Heard learned counsel for parties at length.

2. During the course of hearing, learned counsel for Respondent no.5 in writ petition/ Applicant in Civil Application stated that in view of the objection raised by the Petitioners, Respondent no.5 may be permitted to approach School Tribunal for redressal of his grievances against termination order. He submits that since the matter was pending before this Court, the fifth Respondent did not approach the School Tribunal for redressal of his grievances and as such the time to approach the Tribunal be extended.

3. Keeping in view aforesaid prayer, we are inclined to dispose of this petition with liberty to Respondent no.5 to approach School Tribunal for redressal of his grievances. If he approaches the School Tribunal within four weeks from today by filing an appeal, the School Tribunal shall not dismiss the appeal on the ground of limitation and shall hear and decide the same on merits. All contentions are kept open.

4. With the above observations, the petition is allowed by quashing the order impugned in the writ petition. In view of disposal of writ petition itself, civil application does not survive and stands disposed of as such.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)

MST