

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

WRIT PETITION NO. 760 OF 2017

The President, Shri. Hanuman Lokseva Mandal,
Gardi & Anr. ... Petitioners

Vs.

Uttam Prabhakar Karande & Anr. ... Respondents

....

Mr. Ashok B. Tajane for the Petitioners.

Mr. Abhijeet A. Desai a/w Vrushali L. Mainded for the Respondent No. 1.

Mr. J.A. Madane AGP for the Respondent No. 2-State.

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CORAM : A.A. SAYED, J.

DATE : 2 MARCH 2017

P.C.:

1 During the course of the hearing, on instructions, learned Counsel for the parties are agreed that without to their rights & contentions, the following order be passed:

ORDER

- (i) The Respondent No. 1 shall report for duty on 6 March 2017 at 10.00 a.m. and the Petitioner– Management shall accordingly allow the Respondent No. 1 to resume his duty.
- (ii) The matter is remitted back to the School Tribunal. The impugned order dated 8 July 2016 shall stand set aside the Exhibit 5 Application shall be heard and decided afresh without being influenced by the impugned order. The Respondent No. 1 is permitted to file a Reply to the Exhibit 5 within 10 days from today.

- (iii) The parties shall appear before the School Tribunal on 14 March 2017 at 11.00 a.m.
 - (iv) All contentions of the parties are kept be open including the contention of the Respondent No. 1 in respect of back-wages.
- 2 The Writ Petition is disposed of in the above terms. It is clarified that this Court has not expressed any opinion on the merits of the matter.

(A.A. SAYED, J.)