

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

C.A.W. NO.202/2017
IN
WRIT PETITION NO.197/2017

Dnyanopasak Mandir Shikshan Sanstha and another
..Vs..
Dodku Vithal Pagadpalliwar and another

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.
DATED : 24.1.2017.

Heard Shri S. Zia Qazi, Advocate for the
applicants / petitioners.

For the reasons stated in the application and
as notice of petition is yet to be issued, the petitioners are
permitted to amend the petition as prayed for. The civil
application is **allowed**. No costs.

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Shri S.Zia Qazi, Advocate for the petitioners
has pointed out the communication issued by the Deputy
Director of Education on 15th October, 2003 by which the
proposal seeking approval to the appointment of 4
Shikshan Sevaks including the petitioner was rejected.
This document shows that the proposal seeking approval
to the appointment of petitioner was rejected on the
ground that the Roster was not got certified from the

Backward Cell and the appointment was not as per Rules. The learned Advocate has submitted that the respondent No.1 / employee suppressed this document and as the Tribunal proceeded against the petitioners *ex parte* without giving them notice of appeal, this document could not be placed on record of the Tribunal.

Notice, returnable on **12th April, 2017**.

By an *ad-interim* order, the effect, operation and execution of impugned order is stayed until further orders.

Shri Neeraj R. Patil, A.G.P. waives notice for the respondent No.2.

JUDGE