

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

WRIT PETITION NO. 2906/2017.

Hemlata Eknathrao Pise

-VERSUS-

Shubham Bahuuddeshiya Sanstha, Waddhamna and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

CORAM : B. P. DHARMADHIKARI
AND ROHIT B. DEO, JJ.

DATE : JUNE 27, 2017.

Heard Shri S.D. Chande, learned counsel
for the petitioner, Shri B.H. Shambharkar learned
Counsel for respondent no.1 and Shri A.Z. Jibhkate,
learned counsel for respondent no.2.

2. Petitioner – Headmistress challenges
suspension pending inquiry on the ground that
managing committee which has passed it is not valid.
Submission is, all members constituting it are
defaulters and therefore, not in office.

3. Shri Jibhkate and Shri Patre, learned
Counsel for said body oppose this. They submit that
the body is in power and resolution passed by it must

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be obeyed by the employee.

4. Learned counsel for respondent no.1 claims that respondent no.1 management has not passed any resolution.

5. The facts above show that respondent no.1 may not be at all in management. Petitioner being employee, is not concerned with the dispute inter-se, she has to obey the orders of management. If respondent nos. 2 to 8 are not in power, their resolution will not be implemented and in that event it may not have been necessary for petitioner to approach this Court. The very fact that petitioner is before this Court speaks for itself.

6. At this stage, learned counsel for petitioner points out that a change report proceedings are pending before the Assistant Charity Commissioner. We grant petitioner leave to move appropriate application before said authority for expeditious disposal of the same. With this liberty, we dispose of the present petition. No costs.

JUDGE

JUDGE

Rgd.