

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9129 of 2018.

Chandu @ Chandrakant s/o Shriram
Kadam and oth. ... Petitioners.

Versus

Laxman Amrutrao Hamberde
and Oth. ... Respondents.

WITH
WRIT PETITION NO. 9208 OF 2018.

Chandu @ Chandrakant s/o Shriram
Kadam and oth. ... Petitioners.

Versus

Ramkishan s/o Dattatraya Sontakke
and Oth. ... Respondents.

...
Mr. Y. P. Deshmukh, Advocate for Petitioners.
Mr. S.P. Tiwari, A.G.P. for respondents No. 2 & 3

CORAM : SUNIL P. DESHMUKH, J.

DATE : 14th AUGUST, 2018.

ORDER:

1 Heard learned counsel for the petitioners-respondents before the Tribunal.

2. Purportedly aggrieved by the orders dated 05/04/2018, on Exhibit 52, in Appeal No. 63 of 2011, and on Exhibit 59 in Appeal No. 30 of 2012, which are the orders verbatim the same, petitioners are

before this Court. These applications were moved by the petitioners for summoning Yashodabai Venkatrao Tidake, as a witness before the School Tribunal.

2. It appears that the Tribunal had taken stock of the situation that it is the contention of the petitioners that those communications have been issued by her, whereas present respondents have disputed said position.

3. In the circumstances, the Tribunal has referred to that it is for the petitioners to prove their case and are at liberty to file affidavit of any person in their defence or to rebut the case. As well, for the length of time the Tribunal had not deemed it appropriate to accede to the request. Having regard to the nature of order passed it is not the case where any interlude at this stage is required to be caused.

4. Writ Petitions, thus, are not entertained and are rejected, without undermining opportunity in this respect as would be permissible in further proceeding.

(SUNIL P. DESHMUKH)
JUDGE

mkd/-