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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12767 OF 2016

Kranti Jyoti Savitribai Phule Sanstha And Anr. ...Petitioners

vs

Shri Dhananjay Dadasaheb Jagtap And Ors. ...Respondents

.....

Mr. Mihir Desai, Senior Advocate, a/w. Mr. Abhishek Deshmukh, i/b. Mr. Sanjiv A. Sawant, for the Petitioners.

Mr. A.V. Anturkar, Senior Advocate, i/b. Mr. Tanaji Mhatugade, for Respondent No.1.

Ms. Vaishali Nimbalkar, AGP, for Respondent No.2.

Mr. Deepak More, for Respondent No.4.

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CORAM : S.C. GUPTE, J.

DATED: JULY 26, 2018

P.C.:

. After the matter is heard at some length, it is agreed between learned Counsel for the parties that the petition can be disposed of in the following terms and it is, accordingly, ordered as follows:

The impugned order of the School Tribunal dated 29 September 2016 passed on the application for condonation of delay is quashed and set aside and Miscellaneous Civil Application No.24 of 2015 is remanded to the School Tribunal at Pune for a fresh hearing in accordance with law. Respondent No.1 (Original Applicant) shall be

entitled to amend his application for condonation of delay and include additional facts. The Petitioners shall be entitled to join issue with those facts by filing an additional reply. The application shall be decided by the School Tribunal on its own merits and without reference to the present order. All rights and contentions of the parties on merits of the application are kept open. Considering the fact that the matter pertains to a controversy, which is of 2004, the School Tribunal shall dispose of the application as expeditiously as possible and preferably within a period of twelve weeks from today.

**Smita
Johnson
Gonsalves**

Digitally signed by
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Gonsalves
Date: 2018.07.30
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(S.C. GUPTE, J.)