

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

WRIT PETITION NO. 271 OF 2019

DNYANDEO RAMRAO BHOSALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Shinde Shrikishan S.

AGP for Respondents No. 1 & 2 : Mr. S. P. Tiwari

Advocate for Respondent No. 3 : Mr. B. A. Dhengle

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**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE: 28th NOVEMBER, 2019

PER COURT:

1. The learned counsel for the petitioner submits that, though, the School Tribunal has allowed Appeal No. 57 of 2016 partly on 02.12.2017, respondents no. 1 therein is not complying with the same and the salary of the petitioner as a Headmaster with effect from 1990-1991 is not paid.

2. Mr. Dhengle, the learned counsel submits that the order passed by the School Tribunal is *ex-parte* order. The petitioner is not entitled as the other person was already working on the said post. This aspect is not considered by the School Tribunal.

3. We cannot enter into the arena of the said dispute. It is for the parties to abide by the orders passed by the Judicial forum as in force.

4. It is submitted that the order dated 02.12.2017 in Appeal No. 57 of 2016 is not assailed by any party. We cannot consider the legality of the order passed by the School Tribunal in the present writ petition at the behest of the respondents.

5. In the light of that, as the order of the School Tribunal is in force, respondent no. 3 shall comply the order passed by the School Tribunal dated 02.12.2017 in Appeal No. 57 of 2016 expeditiously and preferably within a period of six (06) months.

6. Writ Petition stands disposed of accordingly.
No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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