

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2780 OF 2019

President/Secretary, Dr. Patangrao Kadam
Shikshan Sanstha, Sandagewadi and Ors. ... Petitioners
Versus
Tanaji Rohidas Gaikwad and Ors. ... Respondents
.....
Mr. Vikas Kolekar for the petitioner.
Mrs. V.S. Nimbalkar, A.G.P. for respondent Nos.2 and 3.
.....

CORAM : M. S. KARNIK, J.

DATE : 10th APRIL, 2019.

P. C.:

1. By this petition filed under Article 227 of the Constitution of India the petitioners challenge an order dated 26.9.2018 passed by the School Tribunal condoning the delay of 11 months and 27 days in filing the Appeal.

2. Learned counsel for the petitioners contend that the respondents have not explained the delay properly. According to him, no sufficient cause is set out in the application for condonation of delay.

3. He would invite my attention to the reply filed by the respondents opposing the application for condonation of delay. Learned counsel for the petitioners would submit that none of the

grounds mentioned in the reply opposing the application for condonation of delay are taken into consideration by the School Tribunal. In the submission of the learned counsel for the petitioners, the respondents himself refused promotion.

4. I have gone through the impugned order. The Tribunal has taken into consideration the reasons for delay caused in filing the Appeal before the Tribunal. The Tribunal considered the complaints made by the respondent for ventilating his grievance. According to the Tribunal the delay of 11 months is not inordinate. In these facts and for the reasons mentioned in the order passed by the Tribunal, if Tribunal has come to the conclusion that the delay deserves to be condoned, there is no reason to interfere with the order passed by the Tribunal. Moreover, the delay is condoned by the Tribunal subject to cost of Rs.500/- to be paid to the original petitioner Nos.1, 2 and 5 each.

5. The Writ Petition is devoid on merits and is dismissed accordingly.

(M. S. KARNIK, J.)