

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

WRIT PETITION NO. 13597 OF 2017

1. Shri Narasu Bharamu Patil & 84 Others. ... Petitioners.

V/s.

1. The State of Maharashtra & 13 Ors. ... Respondents.

**WITH
CIVIL APPLICATION NO. 2252 OF 2018
IN
WRIT PETITION NO.13597 OF 2017**

Jawaharlal Nehru Port Trust ... Applicant.

In the matter of :

1. Shri Narasu Bharamu Patil & 84 Others. ... Petitioners.

V/s.

1. The State of Maharashtra & 13 Ors. ... Respondents.

Mr. Prashant Bhavake, Advocate for the Petitioners.

Ms. Kavita Solunke, AGP for Respondent Nos. 1, 3 to 7.

Mr. Milan Bhise, Advocate, a/w. Amit Bhav & Vinod Sakpal
I/by Milan Bhise & Co. for Respondent No.2 and for the
Applicant in C.A.No. 2252 of 2018.

Mr. G. S. Hiranandani, Advocate a/w. C. G. Gavnekar for
Respondent No. 8.

Mr. A.G. Kothari, Advocate I/by Nandini Menon for
Respondent No. 9.

CORAM : R.M. BORDE & N.J. JAMADAR, JJ.

DATE : JUNE 10, 2019.

PC :

1 It cannot be disputed that the teachers and employees functioning in the private school are governed by the provisions of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 and as such protection available to the employees in respect of services under the Act is equally available to the petitioners herein and their services cannot be dispensed with without observing the procedure prescribed under the law. The Petitioners have certain grievance in respect of proposed transfer of the management of the school. As and when the cause of action occurs in that regard, it would be open for the Petitioners to avail of appropriate alternate remedy under the law.

2 Writ petition is disposed of with liberty, as above.

3 In view of the disposal of the petition, nothing survives in civil application no. 2252 of 2018 and the same is disposed of accordingly.

(N.J. JAMADAR, J.)

(R.M. BORDE, J.)

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