

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

WRIT PETITION NO.7883 OF 2018

Avinash Jalinder Kale

.. Petitioner

Vs.

Dnyandip Gramvikas Pratisthan
through its Chairman/Secretary
& Ors.

.. Respondents

Mr. Shirish V. Pitre for the petitioner.

Ms. M. S. Bane, AGP, for the respondent/State.

CORAM : A.K. MENON, J.

DATED : 7TH JANUARY, 2019.

P.C. :

1. By this writ petition, the petitioner assails the order dated 22nd December, 2017 whereby the Presiding Officer, School Tribunal has allowed an application Exhibit 15. The application is made by the respondent nos.1 and 2 in view of the contention of the petitioner that he had not resigned of his own will but the resignation was a “forced resignation”. However, since the appeal was beyond time, the petitioner filed an application seeking condonation of delay. Although it is the case of the applicant as canvassed today that the signature is not his signature and it is forged, the application for condonation of delay discloses that the petitioner was constrained to file the appeal to

declare the impugned “forceful resignation/oral otherwise termination” dated 30th November, 2016 as illegal and to obtain an order of reinstatement.

2. It is in these circumstances that the School Tribunal has allowed application Exhibit 15. Having heard the learned counsel for the petitioner, I am of the view that the reasons given in the application for condonation of delay clearly indicate that the petitioner's case is not one of forgery but one in his own handwriting but it was not voluntary but he was forced to sign. I find nothing wrong with the impugned order and I am not inclined to interfere in the writ jurisdiction of this Court.
3. In the circumstances, the petition is dismissed. Dismissal of the petition will not influence the pending application for condonation of delay.

(A.K.MENON,J.)