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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.260 OF 2018

Ms.Pankeetaben P. Shah & Anr. V/s. Robert Money Technical High School And Junior College & Ors.	...Petitioners ...Respondents
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Ms.Shobhana Gopal for the Petitioners.

Ms.Upasana Vasu I/b M/s.Wadia Ghandy & Co. for the Respondent
Nos.1 to 3.

Mr.Manish Upadhye, A.G.P. for the State – Respondent No.4.

CORAM : R.D. DHANUKA, J.
DATE : 21ST JUNE, 2019.

P.C. :-

1. By this petition filed under Article 226 of the Constitution of India, the petitioners have impugned the order dated 28th September, 2017 passed by the School Tribunal rejecting the application filed by the petitioners *inter-alia* praying for an order and direction against the respondents to produce the list of names of the present trustees and also the relevant change report duly approved by the Charity Commissioner under the provisions of the Maharashtra Public Trusts Act.

2. It was the case of the petitioners that the letter of

termination was signed by Rev. Anand Maharajan on 29th April, 2017 thereby communicating the order of termination of services of the petitioners with immediate effect who was not a trustee of the respondent trust.

3. Ms.Gopal, learned counsel appearing for the petitioners invited my attention to the impugned order passed by the learned Presiding Officer, School Tribunal, State of Maharashtra rejecting the application filed by the petitioners on the ground that it was clear from the minutes of the meeting dated 19th December, 2009 and the appointment letter dated 22nd December, 2009 that Rev. Sharad Balid was appointed as an Administrator of the respondent no.1 much prior to the termination of the petitioners. The services of the petitioner were terminated by a letter dated 29th April, 2017. She submits that the said Rev. Sharad Balid was not a trustee. The letter of termination is actually signed by Rev. Anand Maharajan.

4. Learned counsel appearing for the respondent nos.1 to 3 on the other hand invited my attention to the resolution passed by the Trust thereby resolving that the said Rev. Anand Maharajan was authorized to sign the documents on behalf of the Trust.

5. In view of these rival contentions of both the parties, in my view, the learned School Tribunal has rightly rejected the submissions of the petitioners. I do not find any infirmity with the

impugned order passed by the School Tribunal.

6. The petition is devoid of merit and is accordingly rejected. It is made clear that the effect of the letter of termination signed by Rev. Anand Maharajan and whether he was authorized to sign such letter of termination is kept open. The School Tribunal shall consider this issue in the final order that is proposed to be passed after hearing both sides. There shall be no order as to costs.

(R.D. DHANUKA, J.)