

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

C.A.W. NO.471/2019

IN

WRIT PETITION NO.8212/2017

Dnyan Prakash Shikshan Sanstha and another

..Vs..

Sahebrao Mansaram Bisen and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Anant Dixit, Advocate for the petitioners.
Shri I.N. Choudhari, Advocate for respondent No.1.
Ms. Shamsi Haidari, A.G.P. for respondent No.2.

CORAM : Z.A. HAQ, J.

DATE : 1.3.2019.

By this application, the petitioners / management have prayed that the effect and operation of order passed by the School Tribunal by which the appeal filed by the respondent No.1 / employee is allowed, be stayed. The impugned order is dated 2nd August, 2017. The petition was filed on 14th November, 2017. The petitioners had not taken any steps to circulate the petition for hearing on admission and interim orders. The writ petition was listed for the first time on 17th July, 2018 on which date it was adjourned. Then the petition was adjourned for 10th October, 2018, 17th October, 2018 and 30th October, 2018. Order passed by this Court on 30th November, 2018 records that the Advocate for the petitioners was not present. This Court expressed anguish regarding the progress of the matter and directed that the petition be listed on 5th December, 2018, cautioning the parties that the petition shall be

taken up for hearing even if none appears for the petitioners. On 3rd January, 2019 again none appeared for the petitioners and after hearing Advocate for the respondent No.1 and learned A.G.P., this Court issued Rule, however, rejected the prayer for interim order. The petitioners have not been able to point out that the order passed on 3rd January, 2019 rejecting the prayer for interim order is required to be reviewed as it suffers from error apparent on the face of record. Hence the application is dismissed with costs of Rs.5,000/- to be paid by the petitioners to respondent No.1. The receipt showing the payment of amount of costs shall be produced on record within one month.

JUDGE

Tambaskar.