

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

WRIT PETITION NO.26/2019

Kisanlal S/o Roshanlal Mankar

..Vs..

Jankalyan Shikshan Sanstha, Amgaon and others

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

Court's or Judge's orders

Shri P.V. Thakre, Advocate for the petitioner.
Ms. T.A. Khan, A.G.P. for respondent No.3.

CORAM : Z.A. HAQ, J.

DATE : 7.1.2019.

Heard.

The petitioner approached the School Tribunal under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 in 2017 after his retirement, complaining that he was superseded on 1st May, 1999 when the management promoted the respondent No.2 to the post of Headmaster. As there was delay of about 17 years in filing the appeal, the petitioner had filed an application praying for condonation of delay. This application is dismissed by the impugned order.

The contention of the petitioner is that the management initially committed unfair labour practice by continuing him on *ad hoc* basis and his services came to be regularized only when he was to retire and in these circumstances, the delay has occasioned.

After going through the impugned order, I

find that the learned Presiding Officer has dealt with all the relevant aspects and has rightly refused to exercise discretion in favour of the petitioner. I do not see any reason to interfere with the impugned order. The writ petition is **dismissed**. In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.