

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

919 WRIT PETITION NO.5977 OF 2019

THE PRESIDENT MAHATMA BASWESHWAR EDUCATON
SOCIETY ANDANOTHER
VERSUS
SHRIRANG PRABHAKAR KULKARNI AND ANOTHER

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Advocate for Petitioners : Mr. Choudhary S.S.
AGP for Respondent-State : Mr. S.D. Ghayal
Advocate for Respondent No.1 : Mr. Ashtekar R.K.

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**CORAM : Z.A. HAQ, J.
DATED : 06TH MARCH, 2020.**

PER COURT:-

. Heard.

2. The management and the headmaster of the school have filed this petition to challenge the order passed by the School Tribunal, by which the appeal filed by the respondent no.1 is allowed. By the impugned order, the Tribunal has set aside the oral termination dated 15.11.2003 and has directed the management to reinstate the respondent no.1-employee, with continuity of service, backwages and consequential benefits.

3. According to the petitioners, the respondent no.1-employee was never appointed and has never worked in the school administered by the petitioner no.1 society. The Tribunal has recorded that documentary evidence showing

that the headmaster of the school had forwarded proposal to the Education Officer seeking approval to the appointments of certain employees and name of the present respondent no.1 was also included in that proposal. The Tribunal has recorded that the respondent no.1 is having the qualifications required for the post on which respondent no.1 came to be appointed and the appointment of the respondent no.1 was made after following the prescribed procedure.

4. On going through the impugned order, I find that the Tribunal has dealt with all the relevant issues properly. The petitioners have not been able to point out any illegality or perversity in the impugned order which necessitates this Court in the extra ordinary jurisdiction. Hence, the petition is dismissed. In the circumstances, the parties to bear their own costs.

(Z.A. HAQ, J.)