

(1)

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

23 WRIT PETITION NO.6303 OF 2020

**MADHUKAR VYANKATRAO KULKARNI
VERSUS
THE EDUCATION OFFICER (SECONDARY), Z.P., LATUR &
ORS.**

...

Mr Y. P. Deshmukh a/w Ms. V. P. Deshmukh, Advocates h/f Mr A. D. Kawre, Advocate for petitioner;
Mr S. B. Pulkundwar, A.G.P. for respondent No.1;
Mr V. V. Bhavthankar, Advocate for respondent Nos.2 & 3

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 2nd August, 2021

PER COURT:

1. The petitioner has challenged the order dated 14/11/2019 by filing this petition in this Court on 19/12/2019. According to the petitioner, though the impugned order appears to be an order of transfer, it actually amounts to reversion/reduction in rank as he was reduced from the post of Supervisor to the position of an Assistant Teacher. He had joined Shri. Siddheshwar Madhyamik Vidyalaya, Majalgaon, Dist. Beed, pursuant to the impugned order, under protest.

(2)

2. Section 9 (1)(a) of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (for short 'the M.E.P.S. Act) permits an employee to challenge his dismissal/removal/otherwise termination/reduced in rank, by the Management. As such, the petitioner's grievance against the impugned order dated 14/11/2019 can be voiced before the learned School Tribunal under the M.E.P.S. Act.

3. In view of the above, this petition is disposed off by granting liberty to the petitioner to avail of the statutory efficacious remedy as prescribed in law. The time spent by the petitioner in this Court from 19/12/2019 till the passing of this order, shall be a good ground for condonation of delay.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk