

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

WRIT PETITION NO.2202 OF 2022

**DIGAMBAR DATTATRAYA DHOBE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
(Board dt.18.08.2022)**

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Advocate for the Petitioner : Shri Sabnis Ameya N.
AGP for Respondent 1 : Shri A.R. Kale
Advocate for Respondents 2 and 3 : Mrs.Charuta S. Deshmukh

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**CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.**

DATE :- 19th August, 2022

Per Court :-

1. Mentioned out of turn. Taken up for hearing.
2. The petitioner has claimed that he has been terminated without conducting any enquiry and by not adhering to the principles of natural justice. He claims to be a permanent employee. He worked as Shikshan Sevak from 05.08.2011 to 26.11.2014.
3. While issuing notice on 15.02.2022, this Court has observed that the point of maintainability of the petition vis-a-vis alternate remedy is kept open.

4. We find that the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (for short, “the MEPS Act”) is a special code. The MEPS Rules, 1981 are in aid of the Act. A special Tribunal in the form of the School Tribunal has been established in the State of Maharashtra. The petitioner has a statutory and efficacious remedy available.

5. In view of the above, this Writ Petition is disposed off with liberty to the petitioner to prefer an appeal within two weeks from today. Time spent by the petitioner in this Court from 10.02.2022 till two weeks from today, would be a good ground for condonation of delay.

kps (ARUN R. PEDNEKER, J.) (RAVINDRA V. GHUGE, J.)