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

24 WRIT PETITION NO.6084 OF 2022

NUZHAT ANJUM SHAIKH MEHMOOD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr M. M. Parghane, Advocate for petitioner;
Mr A. R. Kale, A.G.P. for respondents/State

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

DATE : 3rd October, 2022

PER COURT:

1. The learned Advocate for the petitioner submits that, the petitioner is working in a private school. For the last one year, she is not being allowed to sign the muster roll and was not allowed to work.

2. We are of the view that, if the petitioner is not working for the last one year under the orders of the employer, and therefore, is not permitted to sign the muster roll, the petitioner can espouse a cause of action under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, since this would amount to otherwise/oral termination.

(2)

3. With the liberty to approach the Tribunal, this petition is disposed off. The time spent by the petitioner in this Court from 06/04/2022 i.e. from the filing of this petition, till the passing of this order, would be a good ground for condonation of delay.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk