

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3910 OF 2021

Kiran Ram Sawant ... Petitioner.
V/s.
The State of Maharashtra, through
Additional G.P. & Others ... Respondents.

Mr. Anil D. Joshi, for the Petitioner.
Smt. P.J. Gavhane, AGP, for the Respondent-State.
Mr. Santosh Parad, for the Respondent-MCGM.
Mrs. Prachi Khandge, i/b M.P. Vashi & Associates, for Respondent
No. 5.

**CORAM : NITIN JAMDAR AND
AMIT BORKAR, JJ.**

**DATE : 14 JANUARY 2022.
(Through Video Conferencing)**

P.C. :

The Petitioner is seeking a direction that the order passed by the Respondent No. 2 – Joint Commissioner (Education), Brihan Mumbai Municipal Corporation on 15 January 2020 should be complied with. By this order, the Respondent No. 2 has set aside the order of termination of the Petitioner. The learned Counsel for the Respondent – Management states that the Respondent – Management has also filed Appellate Side Writ Petition (St.) No. 19784 of 2021 challenging the impugned order.

2. As to the query as to the status of Respondent No. 6 through Respondent No. 5, it is informed that the Respondent No. 6 is a private aided school. To a query as to why the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 should not apply to the case of the Petitioner and Respondent No. 6, the learned Counsel for the Petitioner seeks time to place on record the legal position.

3. Leave to amend is granted to convert this petition into a petition on the Original Side. Amendments be carried out before the next date. Registry will take necessary steps of re-numbering, if necessary.

4. Stand over to 4 February 2022. Appellate Side Writ Petition (St.) No. 19784 of 2021 to be listed along with the present petition on the next date, subject to removal of office objections.

(AMIT BORKAR, J.)

(NITIN JAMDAR, J.)