

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.503/2021

Nutan Maharashtra Vidya Vikas Mandal v Mrunali Warkhade and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Mr. R.A. Gupte, Advocate for Petitioner.

Ms. Jog, Advocate for resp. no.1.

Mrs. Barabde, AGP for resp.no.2.

CORAM : AVINASH G GHAROTE, J.

DATE : 10-08-2022

Heard Mr. Gupte, learned Counsel for the petitioner
and Ms. Jog, learned Counsel for the respondent no.2.

2. This Petition challenges the order dated 12-02-2020, whereby the application to file documents on record filed by the petitioner who is the respondent in the appeal before the learned School Tribunal has been rejected on the ground that it is filed belatedly. A perusal of the application, indicates that the same relates to refusal of the claim made by the respondent that she was in service, from 2007. The submissions as claimed in this regard appear to be germane and to decide the proceedings in a fair manner, reasonable opportunity can be granted to the petitioner to place on record the documents. The merits or demerits of a document is altogether different issue which shall be decided by

the learned School Tribunal. The impugned order does not appear to have considered this and only rejected the application on account of delay.

3. Considering which, the impugned order is quashed and set aside and the application for permission to file the documents on record by the petitioner is allowed. No costs.

JUDGE

Deshmukh