

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

WRIT PETITION NO. 4833 OF 2022

Bhaskarrao Deshmukh Shikshan & Krida Prasarak Mandal and another
vs.

Subhash s/o Ramdas Dandade 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. Nikhil Waghmare, Advocate for petitioners.
Mr. P. S. Patil, Advocate for respondent No.1.
Ms. M. A. Barabde, AGP for respondent No.2.

CORAM : MANISH PITALE J.

DATE : 05/09/2022

This petition arises out of a judgment and
order dated 15/07/2022, passed by the School
Tribunal at Amravati, operative portion of the said
judgment and order read as follows :-

“: ORDER :

1] The appeal is partly allowed.

*2] The otherwise of termination
communicated to the appellant vide
communication dated 19.12.2016 is hereby set
aside.*

*3] The respondents No.1 and 2 are
directed to reinstate the appellant on his former
post within 30 days from this order.*

4] *The respondents No.1 and 2 are directed to pay full back wages to the appellant from 19.12.2016 till his reinstatement within three months.*

5] *The appellant is entitled to full salary from tomorrow i.e. from 16.07.2022.*

6] *The appellant be deemed to be continuous in service from 19.12.2016 for all service benefits excluding the benefit of earned leave.*

7] *The parties shall bear their own costs.*

8] *Copy of this order be sent to respondent No.3 for information."*

2. Before this Court during the pendency of the present writ petition, the petitioners and respondent No.1 have settled their dispute and an application for disposal of the writ petition in terms of the compromise is handed over. The same is signed by the petitioners, as well as respondent No.1 and their respective counsel. The petitioners as well as the respondent No.1 are personally present in Court.

3. The application along with affidavits and documents is taken on record. The terms of the compromise as stated in the application read as follows :-

“(A) That, the Petitioners will reinstate the Respondent No.1 Subhash Ramdas Dandade in service on his post of Peon immediately after this compromise.

(B) The Respondent No.1 will not claim any back-wages granted by the School Tribunal in impugned Judgment & order dt. 15/07/2022.

(C) After reinstatement of the Respondent No.1 in service, the Petitioner No.2 being a school receiving grants from the Govt., the Respondent No.1 will be entitled to all the service benefits from Govt.

(D) The Respondent No.1 will be entitled for continuity in service as granted by School Tribunal i.e. from 19/12/2016.”

4. Since, the parties have decided to settle their dispute in the above mentioned manner, the writ petition is disposed of in terms quoted above.

5. The writ petition is disposed of.

JUDGE