

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

**9 CIVIL APPLICATION NO.8983 OF 2023
IN WP/4979/2023 WITH WP/4979/2023**

**GHANASHAM EKNATH AHIRRAO
VERSUS
GIRNA VIDYA PRASARAK MANDAL THROUGH ITS PRESIDENT SARJERAO
SHIVRAM SALUNKHE AND OTHERS**

Dr. R.J. Godbole, Advocate for the applicant.

Mr.S.H. Tripathi, Advocate for petitioner Nos.1 and 2 in WP.

**CORAM : KISHORE C. SANT, J.
DATED : 04.08.2023**

PC :-

01. This application is filed by one of the petitioners i.e. petitioner No.3 seeking amendment to the petition. Petitioner No.3 - present applicant happens to be a Head Master of the school. Termination order was passed by present respondent Nos. 1 and 2 i.e. president and secretary. Said order was challenged by the employee before the School Tribunal. The School Tribunal allowed the appeal. Clause (3) of the order reads as under :-

“3. The respondent Nos. 1 to 3 are hereby directed to reinstate the appellant on same post with continuity in service along with full back wages.”

02. It is case of this applicant that because of the wording that respondent Nos. 1 and 3 are directed to reinstate with full back wages, the management is taking that even this applicant is also equally liable to pay amount of back wages. Therefore, he wants to carry out amendment.

03. This Court finds that the application is only by one of the petitioners. The petition is by other petitioners as well and thus he cannot seek amendment in the petition. At the most he can seek leave to file independent petition challenging the order impugned in the writ petition. The applicant is, thus, at liberty to take appropriate steps. Therefore, present application is disposed off with liberty to the petitioner as indicated above.

[KISHORE C. SANT, J.]