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WRIT PETITION NO.5402 OF 2022

...Petitioners

...Respondents

Mr. S.D. Rayrikar, AGP for Respondent Nos. 6 and 7.

DATE : AUGUST 10, 2023

P.C.:

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order passed by the learned Presiding Officer, School Tribunal, Pune on an application preferred by the petitioners, who claim to be the members of the Managing Committee of respondent No. 1 Nijampur Vibhag Shikshan Prasarak Mandal.
3. By the said application, the petitioners sought an order to discard and cancel the appearance of Mr. Dattu Ramji Pawar, respondent No. 2, who claims to be the President of respondent No. 1 trust on the premise that the President was acting in an arbitrary

manner and had not consulted the members of the managing committee in the matter of defence of the said appeal. It was alleged that the president was taking decisions as if it was a personal matter.

4. By the impugned order, the learned Presiding Officer was persuaded to reject the application holding that no ground was made out to seek the prayers as claimed by the petitioners nor it was brought on record that the petitioners were the members of the managing committee.

5. The learned counsel for the petitioners submitted that by rejecting the instant application the learned Presiding Officer, School Tribunal has caused serious prejudice to the petitioners. The impugned order implies that the respondent No. 2 is the president and in-charge of the affairs of respondent No. 1 trust.

6. The petitioners have chosen a wrong forum to agitate the inter se dispute. The respondent No. 3 herein has preferred the appeal assailing her termination from the service by respondent Nos. 1 and 2. The dispute members of the managing committee of respondent No. 1 inter se are completely alien to the remit of the

jurisdiction to be exercised by the School Tribunal under section 9 of the Maharashtra Employees of Private School (Conditions of Services) Regulation Act, 1977.

7. The impugned order thus does not suffer from either jurisdictional error or procedural defect. Hence, no case is made out to entertain the petition.

8. The petition stands dismissed.

(N. J. JAMADAR, J.)