



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5657 OF 2023

Shri.Omkar Krida and Shikshan Prasarak
Mandal Through its Secretary
Santosh S. Mane and anr.
V/s.

...Petitioners

Nitin N. Kambale and ors.

...Respondents.

Ms Rekha Musale for the Petitioner.

Mr. Anant Vadgaonkar for the Respondent No.1.

CORAM : N.R. BORKAR, J.
DATE : 13.06.2023.

P.C. :

1. The respondent No.1 herein, who was initially working as Headmaster and at the time of termination of his services as Assistant Teacher in the school run by the petitioners, has filed the appeal before the School Tribunal against the order of termination dated 9 June 2022 passed by the petitioners.
2. By the order impugned in this petition, the School Tribunal has allowed the application filed by the respondent No.1 and granted stay to the termination order.
3. I have heard the learned Counsel for the petitioners and perused the impugned order.
4. It appears that the respondent No.1 was subjected to departmental inquiry and on conclusion of departmental inquiry

by order dated 14 October 2021 passed by the petitioners, respondent No.1 was initially reverted to the post of Assistant Teacher from the post of Head Master. It appears that petitioners thereafter, by order dated 9 June 2022 terminated the services of the respondent No.1, while he was working on the post of Assistant Teacher, against which he has filed the appeal before the School Tribunal.

5. The learned counsel for the petitioners submits that the learned School Tribunal ought not to have stayed the termination order which was passed after conducting regular departmental inquiry in which the respondent No.1 was found to be guilty of misconduct. It is submitted that impugned order is in the nature of final relief at the interim stage.

6. I have perused the impugned order. Admittedly, the respondent No.1 was initially reverted. No fresh inquiry was conducted thereafter. In that view of the matter, I am not inclined to interfere with the impugned order. The Petition is dismissed.

[N.R.BORKAR, J.]