

SA Pathan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1074 OF 2023

The President, Yashwanat Shikshan
Sanstha, Sangli & Ors

... Petitioners

V/s.

Sarika Ramesh Patil & Ors

... Respondents

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signed by
SHAMNOR
R. S. PATHAN
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Mr. Gajanan M. Savagave, for Petitioners.

Mrs. S. S. Bhande, AGP, for State-Respondents.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 20, 2023

P.C.:

1. The School Tribunal by order dated 24 February 2016 allowed appeal of respondents and directed the management to reinstate the appellant to his original post with consequential benefits, seniority increment and continuity of service.
2. By the impugned order, the Executing Court has directed the management to comply with the order of School Tribunal.
3. The Executing Court rejected the application of management to appoint respondent No.1 on non-grantable course for the subject of Hindi.
4. According to the respondent, she was appointed on grantable post; therefore, unless the Superior Court set aside order

of School Tribunal, the Executing Court is within its right to pass order of enforcement or order of School Tribunal. Therefore, there is no legal infirmity in the order.

5. The writ petition is dismissed. No costs.

(AMIT BORKAR, J.)