

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

WRIT PETITION NO.7060 OF 2018

Vishwas S/o Digambarrao Jiddewar .Vs. The Regional Deputy Commissioner, Social Welfare Department, Amravati Division, Amravati and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.N. Patre, Advocate for the petitioner.

Ms H.N. Jaipurkar, A.G.P. for the respondent No.1/State.

Shri Y.P. Kaslikar, Advocate for the respondent No.3.

CORAM : ANIL S. KILOR, J.

DATED : 10/02/2023

1. Heard.
2. This Court repeatedly held in many matters that the remedy to the employees of the Ashram School, to challenge the order of termination lies with the School Tribunal under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 (for short "MEPS Act"). For instance, the said view was taken in a judgment of the Division Bench of this Court in the case of *Latika Rajaram Mane Vs. State of Maharashtra and ors.*¹
3. As the present case is covered by the said judgment, the order passed by the Regional Deputy Commissioner Social Welfare, Division Amravati and Appellate Authority dated 10.04.2018, is hereby quashed and set aside and the petitioner is granted liberty to file an

¹ 2013 (4) Mh.L.J. 244

appeal under Section 9 of the MEPS Act to challenge his termination, if he so desires.

4. It is made clear that, if such appeal is preferred within four weeks from today, the same shall be entertained on merit without going into the question of delay.

5. All points on merit are kept open for being raised and considered by the School Tribunal.

6. The petitioner is at liberty to make a request to the Tribunal to decide the appeal expeditiously.

The writ petition is **disposed of** accordingly.

JUDGE