

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 5708 OF 2021

1. Shri Prakash Rambhau Tayde,
aged about 55 years, Occ. Service.
2. Shri Pravin Namdeorao Khulsange,
aged about 33 years, Occ. Service.
3. Shri Rajesh Subhashrao Gaoner,
aged about 38 years, Occ. Service.
4. Shri Gajanan Kisanrao Wankhede,
aged about 50 years, Occ. Service.

All are R/o C/o Primary Ashramschoool,
Borala, Tah. Chandur Bazar, District – Amravati.

PETITIONERS

.....VERSUS.....

1. State of Maharashtra,
through its Secretary,
Department of Tribal Development,
Mantralaya, Mumbai – 32.
2. Additional Commissioner of Social Welfare Department,
Amravati Division, Amravati.
3. Divisional Social Welfare Officer,
Amravati Division, Amravati.
4. District Social Welfare Officer,
Amravati.
5. Shri Chandrapuri Maharaj Shikshan Prasarak Mandal,
Chandur Bazar, through its Secretary Shri V.G. Gohatre,
R/o Premier Plaza, Gadgenagar, Amravati.
6. Primary Ashramschoool, Borala,
Tah. - Chandur Bazar, District – Amravati,
through its Headmaster.

RESPONDENTS

Shri P.N. Shende, Advocate for the petitioners.
Shri A.S. Fulzele, Additional Government Pleader for respondent Nos. 1 to 4.
Ms Winy Daigavane, Advocate for respondent Nos. 5 and 6.

CORAM : A. S. CHANDURKAR AND M.W. CHANDWANI, JJ.

DATE : 20/4/2023

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith and heard the learned Counsel for the parties.

2] The petitioners came to be appointed on teaching/ non-teaching posts at respondent No.6 – Ashram School run by respondent No.5 – Society. The services of the petitioners came to be terminated by the Management and being aggrieved, the petitioners approached the Assistant Commissioner, Social Welfare Department, Amravati by filing an appeal. The Assistant Commissioner decided that appeal on 6/3/2019 and allowed the same. The Management being aggrieved by the said order approached the Regional Deputy Commissioner, Social Welfare Department, Amravati and the said appeal is pending. In the present Writ Petition, the petitioners seek implementation of the order passed by the Assistant Commissioner.

3] In these facts, the interests of justice would be met by directing the Regional Deputy Commissioner, Social Welfare Department, Amravati to decide the appeal preferred by respondent Nos. 5 and 6 herein in accordance with law within a stipulated time. To enable consideration of the said appeal, the petitioners as well as respondent Nos. 5 and 6 shall appear before the Regional Deputy Commissioner on 2/5/2023. The appeal be decided within a period of two months from that date. The decision taken be communicated to the parties.

4] Rule is disposed of in the aforesaid terms. No costs.