



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1159 OF 2023

Shree Dhannama Shikshan
Prasarak and another

.....Petitioners

Vs.

The Education Officer Secondary
and another

.....Respondents

Mr. Nilesh Wable a/w Mrs. Stety Dias i/b Mr. Umesh Mankapure for the
petitioner
Mr. S. L. Babar, AGP for the State

CORAM : GAURI GODSE, J.

DATE : 9th JANUARY 2024.

P.C.

1. Heard. This petition challenges the order dated 11th August 2022 passed by the School Tribunal allowing the appeal filed by respondent no. 2. The Tribunal has set aside the termination order dated 1st February 2018 and directed to treat respondent no. 2 as continued in service and entitled to all service benefits.

2. Learned counsel for the petitioner submitted that though the notice of the appeal filed before the School Tribunal was served upon the petitioners and they had engaged an advocate, he did not appear in the matter. Learned counsel further submitted that the petitioners had never terminated the services of respondent no. 2. However, he states that show cause notices were issued to respondent no. 2. He therefore submits that the impugned order may affect the show cause notices issued by the petitioner to respondent no. 2. Hence, he submits that the present petition is filed for clarification concerning the same.

3. Perusal of the petition indicates that vague submissions are made with respect to engaging a lawyer for appearing in the Tribunal. No specific averments are made to justify the non-appearance of the petitioners before the School Tribunal.

4. So far as the submission made concerning the show cause notice issued is concerned, the same does not appear to be the subject matter before the School Tribunal. Hence, I do not see any reason for interfering in the impugned order. Perusal of the impugned

order does not indicate any illegality or infirmity in the reasons recorded by the School Tribunal.

5. Petition is devoid of any merits. The petition is dismissed.

[GAURI GODSE, J.]