

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3137 OF 2024

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Date: 2024.07.01
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Shikshan Vikas Mandal

Through Its Jt. Secretary & Anr.

V/s.

Gurudev T. Perulekar & Ors.

... Petitioners

... Respondents

Mr. V. P. Sawant, Senior Advocate with Mr. Vighnesh Kamat i/by Mr. Prabhakar M. Jadhav for the petitioners.

Mr. Suresh Pakale, Senior Advocate with Mr. Nilesh Desai i/by Padmaja Malgaonkar for respondent No.1.

Ms. Tanu N. Bhatia, AGP for respondent Nos.2 & 4 – State.

CORAM : AMIT BORKAR, J.

DATED : JULY 1, 2024

P.C.:

1. Arguable questions are raised. Hence, **Rule.**
2. Prima facie it appears that the Tribunal recorded a finding that charges reproduced in paragraph No. 91.9 are held to be proved. However, while imposing the punishment, the Tribunal has considered the issues on merits. The Tribunal has recorded a finding that termination is disproportionate, however, failed to record a finding that the punishment is shockingly disproportionate or irrational or perverse. Therefore, the

petitioners have made out a case for grant of ad-interim relief.

3. Hence, until further orders, there shall be ad-interim relief in terms of prayer clause (b). However, it shall be open for the respondents to file affidavit-in-reply for modification of ad-interim relief.

(AMIT BORKAR, J.)