

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO. 12919 OF 2024

The Secretary Trustee Swami Petitioners
Vivekanand Shikshan Samiti and Anr.

Versus

Pushpa Prakash Bachhav and Anr. Respondents

Adv. Arvind G. Kothari, for the Petitioners.

Adv. Pravina P. Kadam, for Respondent No.1.

Adv. Aloka A. Nadkarni, AGP, for Respondent No.2 - State.

CORAM : R. M. JOSHI, J.

DATE : 20th SEPTEMBER, 2024.

P.C. :

1. Heard.
2. Learned counsel for the Petitioners has sought stay of the impugned judgment passed by the School Tribunal. With regard to stay to the order of reinstatement, this Court is not inclined to pass any ad-interim relief. Insofar as the direction for payment of back-wages is concerned, it is contended that the Respondent No.1 has

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failed to make any averment with regard to the gainful employment before the Tribunal, and as such the order of grant of back-wages cannot be sustained.

3. Learned counsel for Respondent No.1 caused her appearance and has sought time to file reply. Time is granted. However, in view of the fact that there is a possibility of filing of execution proceeding in respect of recovery of back-wages, there shall be stay to the impugned order to the extent of back-wages granted by the Tribunal, till next date of hearing.

4. Issue notice to the Respondents, returnable on 11th November, 2024.

5. Ms. Pravina P. Kadam waives service on behalf of Respondent No.1.

6. Learned AGP waives service on behalf of Respondent No.2 – State.

7. Reply, if any, be filed before next date of hearing.

(R. M. JOSHI, J.)