

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16771 OF 2024 .

Gavit Gulabsing Suka

...Petitioner.

Versus

Shri Swami Vivekanand Shikshan Sanstha (Kolhapur)
and Others.

...Respondents.

*Mr. Sugandh Deshmukh, Ms. Karishma Shinde, Mr. Irvin D'souza, Mr. Vaibhav Thorave and Mr. Aniket Kanawade for the Petitioner.
Mr. B. B. Dahiphale, AGP for Respondent-State.*

Coram : Sharmila U. Deshmukh, J.

Date : November 18, 2024.

P. C. :

1. The submission of learned counsel appearing for the petitioner is that the services of the petitioner came to be terminated without any assessment as contemplated by Rule 14 and Rule 15 and in particular, sub-rule 6 of Rule 15 of The Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981.
2. Pointing out to the Termination Order which is at Page No. 26, he submits that the termination is on the ground of unsatisfactory performance and the assessment required has not been placed on record before the Tribunal. He submits that Tribunal has taken into consideration, the alleged misconduct/misbehavior of the Petitioner

and if so considered, the same will amount to stigma for which the services cannot be terminated without due inquiry.

3. Issue Notice to the Respondents returnable on **9th December, 2024**. Learned AGP waives for Respondent No. 3. In addition to Court notice, advocate for the Petitioner to serve the Respondents by private notice by all possible modes of service and file affidavit of service before the next date.

[Sharmila U. Deshmukh, J.]