



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.5351/2024

Sau. Gitatai V Yuvak Bharati Shikshan Sanstha, Pulgaon and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.R. Badana, Advocate for contempt petitioner.
Mr. N.T. Rawekar, Advocate for respondent no.1.

CORAM : N.R. Borkar, J.

DATE : 19-12-2024.

This petition takes exception to the judgment and order dated 11-03-2022 passed by the School Tribunal in STC Appeal No.26/2017.

ii. The petitioner was working as a Head mistress in the school run by respondent No. 1. By order dated 11-09-2017, she was dismissed from service. Against the said order of dismissal, she had filed the appeal before the School Tribunal. By order dated 11-03-2022, the School Tribunal allowed the said appeal. The operative part of the order passed by the School Tribunal, reads thus-

" ORDER

(1) The appeal is hereby allowed.

(2) It is declared that the inquiry conducted against the appellant is unfair and illegal.

- (3) *The dismissal order dated 11.09.2017 is hereby quashed and set aside.*
- (4) *The respondents are hereby directed to reinstate the appellant with continuity in service within 30 days from today.*
- (5) *The respondents are hereby directed to pay back-wages @ 75% from the date of dismissal till her reinstatement within 60 days from today.*
- (6) *The respondent management is at liberty to initiate de-novo inquiry by issuing proper charge-sheet and constituting the inquiry Committee as per Rules by affording the opportunity to the appellant to nominate her member in the Inquiry Committee.*
- (7) *No order as to costs.”*

iii. This petition is filed challenging the order of the School Tribunal to the extent of non-grant of full back wages.

iv. The order passed by the School Tribunal was challenged before this Court by respondent No. 1-Management. This Court by order dated 27-07-2023 while dismissing the Writ Petition filed by respondent No. 1 has observed thus:

“In that view of the matter, I do not find any error committed by the learned Tribunal in setting aside the order of dismissal dated 11/09/2017 with back wages @75% from

the date of dismissal till her reinstatement with liberty to initiate de novo enquiry.”

v. The Hon’ble Supreme Court has confirmed the order passed by this Court. The present petition is filed thereafter. Considering the overall facts and circumstances and in view of the observations of this Court in order dated 27-07-2023, I am not inclined to entertain the present petition.

vi. The petition is dismissed.

(N.R. Borkar, J.)