



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

WRIT PETITION NO. 1253 OF 2024

Sant Dnyaneshwar Bahuuddeshiya Shikshan Mandal, Dhaba, Akola and anr.

Vs.

Wasudeo Shrikrushna Kadu and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. P.S. Patil, Advocate for petitioners.

Ms. Prachi Joshi, AGP for respondent/State.

CORAM : N.R. BORKAR, J.

DATE : 18.09.2024.

This petition takes exception to the order dated 12.01.2024 passed by the learned School Tribunal, Amravati. The respondent No.1, was working in Primary Ashram School run by petitioner No.1. The respondent No.1, against the order of termination of his services, had filed the appeal before the School Tribunal. By the order impugned, the learned School Tribunal has allowed the appeal however, granted liberty to the petitioner to conduct a fresh enquiry against the respondent No.1 in accordance with the provisions of the Maharashtra Employees of Private Schools (Conditions of

Services) Regulation Act, 1977 and Rules, 1981 (for short “MEPS Act and Rules”).

2. One of the contentions in the present petition is that the provisions of the MEPS Act and Rules are not applicable to the employees working in the Primary Ashram School.

3. Prima facie there appears to be substance in the submission of the learned counsel for the petitioner. The State is, therefore, directed to file affidavit. The affidavit shall specify which rules are applicable to the employees working in Primary Ashram School. Such affidavit shall be filed by the Secretary of the Social Welfare Department of the State, within a period of two weeks from today.

4. List the petition for further consideration on **07.10.2024**.

(N.R. BORKAR, J.)