



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 1253 OF 2024

Sant Dnyaneshwar Bahu-uddeshiya Shikshan Mandal Dhaba and anr.

-Vs.-

Wasudeo Shrikrushna Kadu and another

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, counsel for the petitioners.
Mr.V.A.Kothale, counsel for the respondent No.1.

CORAM : B. P. DESHPANDE, J.

DATE : 4TH MARCH, 2024

Heard Mr.Patil, learned counsel for the petitioner
and Mr.Kothale, learned counsel for respondent No.1.

2. The challenge in the present petition is to the order passed by the School Tribunal with certain conditions. First of all, the Tribunal has directed the petitioners to reinstate the respondent No.1 within a period of forty days and to pay him fifty per cent back wages from the date of institution of appeal, i.e. 04/01/2022 till reinstatement within a period of two months. The Tribunal also found that the enquiry was vitiated and therefore, the petitioners have been directed to conduct a fresh enquiry.

3. The learned counsel for the petitioners would submit that the Maharashtra Employees of Private Schools (Conditions of Service) Acts and Rules are not applicable to

the petitioner-School and therefore, the respondent No.1 is not entitled to file appeal before the School Tribunal under the said Act.

3. The grounds raised in the present petition requires consideration.

4. The petitioners are directed to conduct a fresh enquiry within a period of 120 days as provided under the MEPS Rules.

5. The petitioners are directed to deposit fifty per cent back wages in this Court within a period of eight weeks.

6. Once the enquiry is completed, the petitioners shall intimate the decision to the respondent No.1. Such decision shall be placed before this Court in the present petition. Only thereafter, the petition shall be listed for further consideration.

7. The parties shall act on the authenticated copy of this order.

JUDGE