



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

WRIT PETITION NO. 1450/2024

Hans Shikshan Krida Va Vyayam Prasarak Mandal, Pimpalkhuta & Anr.
Vs.
Ku. Pratibha Dnyanobaji Ridhorkar and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.S. Warulkar, Advocate for Petitioners
Mr. S.M. Vaishnav, Advocate for Respondent No.1
Mr. Alap Palshikar, AGP for Respondent Nos.2 and 3

CORAM: N.R. BORKAR, J.

DATED : 01st JULY, 2024

This petition takes exception to the order dated 21.12.2023, passed by the learned School Tribunal, Amravati below Exh.1 in Misc. Application No.23/2022.

2. The respondent No.1 herein has filed an appeal before the School Tribunal against the order dated 26.11.2015 by which her services were terminated from the post of Assistant Teacher. As there was delay in filing the said appeal the application for condonation of delay was filed.

3. By the order impugned the School Tribunal has allowed the said application for condonation of delay. It is not in dispute that against the order of termination dated 26.11.2015,

respondent No.1 had initially filed the Writ Petition before this Court. The said Writ Petition was withdrawn with liberty to file civil suit. Accordingly, suit was filed. According to the respondent No.1 during the pendency of the said suit this Court in Writ Petition No. 3330/2019 has held that Ashram Schools are governed by the Maharashtra Employees of Private School (Condition of Service) Regulation Act, 1977 (M.E.P.S. Act). According to the petitioner thus suit was withdrawn with liberty to file appeal under Section 9 of the Act.

4. Considering the overall facts and circumstances of the case, I am not inclined to interfere with the impugned order. The petition is dismissed. No costs.

(N.R. BORKAR, J.)