

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10589 OF 2025

Siddheshwar Shikshan Prasarak Mandal
and anr.

...Petitioners

Versus

Vishwas Adhinath Raut and anr.

...Respondents

WITH

WRIT PETITION NO. 10597 OF 2025

Siddheshwar Shikshan Prasarak Mandal
and anr.

...Petitioners

Versus

Bharat Shamrao Mote and anr.

...Respondents

WITH

WRIT PETITION NO. 10594 OF 2025

Siddheshwar Shikshan Prasarak Mandal
and anr.

...Petitioners

Versus

Mamile Umakanth Sugriv and anr.

...Respondents

WITH

WRIT PETITION NO. 10592 OF 2025

Siddheshwar Shikshan Prasarak Mandal
and anr.

...Petitioners

Versus

Sitaram Bhimram Kamble and anr.

...Respondents

Mr. I. M. Khairdi, a/w Zaeem Khairdi, for the Petitioner in all
WP.

Mr. S. D. Rayrikar, AGP for the State – Respondent No.2.

CORAM: N. J. JAMADAR, J.

DATED : 6th AUGUST, 2025

Oral Order:-

1. Heard the learned Counsel for the petitioners.

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SUBHASH
KULKARNI

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2. The challenge in these petitions is to the orders passed by the Executing Court directing issuance of the attachment warrants against the petitioners, who are the employers of respondent No.1, in each petition, who have been directed to be reinstated alongwith backwages by the Presiding Officer, School Tribunal.

3. Mr. Khairdi, the learned Counsel for the petitioners, submits that there is a dispute about the exact amount of backwages which respondent No.1, in each of the petitions, is entitled to, in terms of the order passed by the School Tribunal. The petitioners are willing to have the correct ascertainment of the entitlement of respondent No.1 and comply with the orders of the Tribunal. The petitioners will appear before the Executing Court. In the meanwhile, the execution of the attachment warrants may be deferred.

4. From the perusal of the material on record, it appears that the petitioners have not appeared before the Executing Court. In this backdrop, there is no propriety in entertaining these petitions in exercise of the writ jurisdiction. It would be appropriate that the petitioners appear before the Executing Court and work out their remedies before the Court, including

the determination of the correct backwages to which respondent No.1, in each of the petitions, is entitled to.

5. Thus the petitions stand disposed.

6. The petitioners shall appear before the Executing Court on 8th August, 2025.

7. To facilitate the petitioners to appear before the Executing Court and work out their remedies including production of the documents to show the amount, if any, already paid to respondent No.1, in each of the petitions, and the amount to which they would be entitled to, in accordance with the order passed by the School Tribunal, the execution of the attachment warrants shall stand deferred for a period of two weeks only.

[N. J. JAMADAR, J.]