

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1509 OF 2024

Sunanda Shantaram Yewale

...Petitioner

V/s.

The Deputy Director of Education
Mumbai Region and Ors.

...Respondents

Mr. Prasannan Namboodiri *with Ms. Prathibha Namboodiri*
Mr. Rishabh Sinha and Ms. Pallavi Dabak for the Petitioner.

Mr. Arvind G. Kothari *for Respondent Nos.3 and 4.*

Mr. Hamid Mulla, AGP *for Respondent-State.*

CORAM : SANDEEP V. MARNE, J.

Dated : 4 March 2025.

P.C. :

1) It appears that after dismissal of the appeal by the School Tribunal by order dated 13 March 2023, Petitioner has been able to lay his hands to several vital documents. According to the Petitioner, said documents clearly prove authenticity of the order of appointment dated 20 June 2019, which does not contain any specific period of appointment. Learned counsel appearing for the Petitioner would submit that an opportunity needs to be granted to the Petitioner to rely upon the said additional documents for convincing the Tribunal that the appointment

order relied upon by the Petitioner is in fact a genuine document. Mr. Kothari, the learned counsel appearing for the Respondent Nos.3 and 4 would dispute the correctness of the said additional documents and submits that right of the management to question authenticity of those documents before the Tribunal be reserved.

2) Petition is accordingly disposed of by setting aside order dated 13 March 2023 passed by the School Tribunal and by restoring Appeal No.15 of 2021 on the file of the Tribunal. The Tribunal shall provide an opportunity to the Petitioner to place on record additional documents. The appeal shall be decided afresh after taking into consideration the additional documents that will be produced by the Petitioner. All contentions on merits are kept open.

3) Considering the fact that the appeal is pending since 2021 the Tribunal shall make an endeavour to decide the same in an expeditious manner, preferably within a period of 9 months.

[SANDEEP V. MARNE, J.]