

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 8006 OF 2024

Raju Dhondiba Kamble

... **Petitioner**

Versus

Sangola Taluka Shetkari Shikshan

Prasarak Mandal and Ors

... **Respondents**

**WITH
WRIT PETITION NO. 9454 OF 2024**

Manoj Madhav Kulkarni

... **Petitioner**

Versus

Sangola Taluka Shetkari Shikshan

Prasarak Mandal and Ors

... **Respondents**

**WITH
WRIT PETITION NO. 9450 OF 2024**

Dashrath Shankar Lawate

... **Petitioner**

Versus

Sangola Taluka Shetkari Shikshan

Prasarak Mandal and Ors

... **Respondents**

Mr. Vinod P. Sanvikar *a/w Mr. Yogesh Morbale, Mr. Shubham Sanawale & Siddheshwar Galande for the Petitioners.*

Mr. Sarang Aradhya *a/w Ms. Gauri Velankar & Mr. Shantanu Gurav for Respondent No. 2 in WP/9450/2024 & WP/8006/2024 & Respondent No.3 in WP/9454/2024.*

Mr. N. V. Bandivadekar, *Sr. Advocate, i/b I. M. Khairdi for Respondent No. 4 in WP/9450/2024 7 WP/9454/2024 & Respondent No. 3 and 4 in WP/8006/2024.*

Ms. Snehal Jadhav, *AGP for Respondent / State in WP/8006/2024.*

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Ms. Aloka A. Nadkarni, AGP for Respondent/State in WP/9454/2024.

Mr. P. V. Nelsan – Rajan, AGP for Respondent/State in WP/9450/2024.

CORAM : SANDEEP V. MARNE, J.

DATE : 28 JANUARY 2025.

P.C. :

1) By these Petitions Petitioners challenge Orders dated 16 April 2024 passed by the learned Presiding Officer, School Tribunal, Solapur dismissing their Appeals as not maintainable on account of failure on their part to implead teachers senior to them to the Appeals. After arguing the Petitions for some time Mr. Sangvikar, the learning counsel appearing for the Petitioners, on instructions makes a statement that Petitioners are willing to join teachers senior to them in the seniority list as party Respondents in their respective Appeals. Such a course of action adopted by the Petitioners would obviate the objection of non maintainability of the Appeals for which the Appeals have been dismissed.

2) Now that Petitioners are willing to join teachers senior to them as party Respondents in their Appeals, their Appeal can be decided on merits. For that purpose the impugned orders dated 16 April 2024 will have to be set aside for remanding the Appeals for decision on merits.

3) Accordingly, orders dated 16 April 2024 passed in Appeal No. 45 of 2022, Appeal No. 27 of 2022 and Appeal No. 42 of

2022 are set aside and all the three Appeals are restored on the file of the School Tribunal, which shall grant leave to the Petitioners to implead all the persons senior to them in the seniority list as party Respondents in the Appeals. The School Tribunal shall thereafter proceed to decide the Appeals on their own merit without being influenced by any of the observations made in the order dated 16 April 2024. To this limited extent, the Petitions are **partly allowed and disposed of**, with no order as to costs.

4) All the contentions of parties on merits are expressly kept open.

[SANDEEP V. MARNE, J.]