



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

Writ Petition No. 195 of 2025

Deshmukh Krushi Mahavidyalaya and Jr. College through its President Anilkumar V. Deshmukh
and ors. ..vs.. Khushal Ramdasji Chore and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. K. P. Mahalle, Advocate for the petitioners
Mr. H. R. Dhumale, AGP for respondent nos. 2 and 3

CORAM : ANIL L. PANSARE J.

DATED : 15-01-2025

On 14-1-2025, following order was passed.

“*Heard.*”

2. One of the reasons why the delay has been condoned by the School Tribunal is that the Management/Head Master had sought Consent Letter of letting go some claims, for appointing respondent No.1 as Teacher/Assistant Teacher.

3. Thus, it appears that respondent No.1 was kept on hopes of appointment, till January, 2024. Despite submitting the Consent Letter, he was not appointed and, thereafter, he challenged the alleged order of oral termination effected in the year 2022-23. The order further indicates that from February, 2024 till July, 2024, he could not file the appeal because of the unfortunate incident that occurred in his family. His wife delivered a child who died immediately after birth. Thus, it appears that delay has been justified by respondent No.1.

4. Counsel for petitioner seeks time to take instructions as to whether the Consent Letter has been suo motu submitted by respondent No.1.

5. It appears that respondent No.1 has explained the delay and, in any case, the order passed by the School Tribunal, having been passed by exercising the discretion by applying mind, which falls well

within its jurisdiction, there will be hardly any scope for this Court to interfere with the order in the supervisory jurisdiction under Article 227 of the Constitution of India.

5. Counsel for the petitioner, however, seeks time to take instructions as to whether respondent No.1 has, on his own, submitted the Consent Letter. Thus, it is indicated that the management is not at all involved in obtaining the Consent Deed from respondent No.1.

6. Time granted. List on 15.01.2025.”

2. Learned counsel for the petitioners seeks permission to withdraw the petition and to pursue the remedy as is available in law including contesting the issue on merit before the School Tribunal. Permission granted.

3. Writ petition is dismissed as withdrawn with liberty as prayed for.

(Anil L. Pansare, J.)