



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

WRIT PETITION NO. 2036 OF 2020

(Arthik Durbal Mahila Vikas through its Secretary and another vs. Shri Gopal Charndas Dawande
and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. P.P.Thakre, Advocate for petitioner.
Mr. S.D.Chande, Advocate for respondent No.1.
Ms.Ritu Sharma, AGP for respondent No.2.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 14, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The present petition is directed against the order dated 21/01/2020 passed by learned Presiding Officer, School Tribunal in Appeal No. 85/2012, whereby the learned School Tribunal allowed the appeal filed by the respondent No.1 herein and directed the petitioners to reinstate the respondent No.1 in service with continuity of service and full back wages.
- 3) Learned counsel for the petitioners submits that hearing was concluded on 11/01/2019 and thereafter the matter was adjourned from time to time. When the matter was finally heard nobody argued on behalf of the petitioners, therefore, he submits that the matter needs to be remanded back to the learned Tribunal for giving an opportunity of hearing to the petitioners.
- 4) Learned counsel for the respondent No.1 employee submits that the appeal is of the year 2012, and learned Tribunal

had decided the appeal on 21/01/2020. Present petition is nothing but a delay tactic. He further submits that the respondent has already retired from the service.

5) In view thereof, without going into the merits of the matter, I find that as the petitioners were not heard while passing the order by the learned School Tribunal, therefore, to give one more opportunity to the petitioners, the matter needs to be remanded back to decide it afresh by giving an opportunity of hearing.

6) In view thereof, the order dated 21/01/2020 passed by the School Tribunal in Appeal No.85/2012 is quashed and set aside. The appeal is restored to its original position. As the appeal is of the year 2012, the Tribunal is directed to decide the same within a period of four months by issuing notices to all the parties pointing out that the matter is to be decided within stipulated period.

7) By way of an interim order, this Court had directed the petitioners to deposit the amount of Rs.1,38,600/-. In view of the fact that the respondent No.1 has not received any amount till this date, as the matter is remanded back, the respondent No.1 is permitted to withdraw the said amount along with accrued interest, if any.

(SIDDHESHWAR S. THOMBRE, J.)

