



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

WRIT PETITION NO.4135/2022

Sanket Kishor Rao Tagalpallewar

...Versus...

Janta Shikshan Prasarak Mandal, Pusad, Through its President, Gandhi Nagar,
Pusad, Dist. Yavatmal and others

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

Court's or Judge's orders

Mr. R.L. Khapre, Sr. Advocate a/b Mr. D.R. Khapre, Advocate for petitioner
Mr. S.B. Bissa, AGP for respondent No.3
Mr. N.P. Lambat, Advocate for respondent No.4

CORAM : ROHIT W. JOSHI, J.

DATE : 15/10/2025

1. Notice for final disposal was issued in the present petition vide order dated 23/09/2022. Office note dated 25/07/2024 shows that respondent Nos.1 and 2 were duly served. Another notice was ordered to be issued to respondent Nos.1 and 2 vide order dated 25/07/2025. Office note dated 21/08/2025 indicates that second notice for final hearing was also served on respondent Nos.1 and 2. Despite this, respondent Nos.1 and 2 have not entered their appearance in the matter. In such circumstances, the petition is taken up for final hearing in the absence of respondent Nos.1 and 2.

2. The petition takes exception to the judgment and order dated 10/03/2022 passed by the learned Presiding Officer, School Tribunal, Amravati dismissing Appeal No.44/2019 on the ground that the appellant/employee had not filed original order of termination on record in the said appeal.

3. Mr. Khapre, learned Senior Advocate for the appellant states that services of 29 employees including the present petitioner were terminated by respondent No.1- Management on the ground that College was placed in the list of Colleges in “no admission category”, which according to the Management amounted to deemed closure. Mr. Khapre, learned Senior Advocate states that the appeals of all other 28 employees were allowed by the learned School Tribunal, granting relief of reinstatement of service with continuity and full back wages. However, the appeal of the present petitioner was dismissed solely on the ground that the order of termination was not filed on record. Mr. Khapre, learned Senior Advocate then draws attention to the judgment passed by this Court in Writ Petition No.641/2023, whereby the order passed by the learned School Tribunal in case of other 28 employees is confirmed. Attention is also drawn to the fact that Special Leave Petition arising out of the said judgment was withdrawn with liberty to file application for review and subsequently applications for review are also rejected vide order dated 26/02/2024. The petitioner has filed affidavit that he is not in any other gainful employment since the date of his termination and respondent Nos.1 and 2 have not controverted the said statement.

4. In view of the aforesaid, in the considered opinion of this Court, it will not be possible to take a different view of the matter and the present petition will have to be allowed. The writ petition is accordingly allowed in the following terms :-

The judgment and order dated 10/03/2022 passed by the learned Presiding Officer, School Tribunal, Amravati in Appeal No.44/2019 is quashed and set aside. Appeal No.44/2019 filed by the present petitioner before the learned School Tribunal, Amravati is allowed. Termination order dated 07/05/2019 issued by respondent Nos.1 and 2 to the petitioner is quashed and set aside. Respondent Nos.1 and 2 are directed to reinstate the petitioner in service with continuity and full back wages.

5. The writ petition is disposed of in the aforesaid terms. No order as to costs.

(ROHIT W. JOSHI, J.)

Wadkar