



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

Writ Petition No.7841 of 2023

[Shri Dattatraya Shikshan Sanstha, through its President and another
VERSUS Dinkar Sitaram Jadhav and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's order
Registrar's orders.

Ms Vedika Thakare, Counsel for Petitioners.
Shri H.D. Marathe, Assistant Government Pleader for Respondent
Nos.2 and 3.

CORAM : NITIN W. SAMBRE AND VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 02, 2025

1. Heard.
2. It appears that the petitioners were the respondents before the School Tribunal in Appeal No.19 of 2005. The said appeal was decided by the School Tribunal vide judgment and order dated March 07, 2019, which was the subject-matter of challenge in Writ Petition No.5208 of 2007, as the appeal of the respondent No.1 was dismissed.
3. This Court while deciding the said writ petition passed the order as under :

“7] In view of above, writ petition is allowed. The judgment and order dated 03.08.2007 passed by the School Tribunal in Appeal No.19 of 2005 is hereby quashed and set aside. The said appeal is allowed by setting aside the termination dated 20.06.2005 and directing reinstatement with continuity in service to the petitioner within a period of 30 days from today. The matter is remitted back to the School Tribunal to decide the question of entitlement of petitioner to backwages. The parties to appear before the School

Tribunal on 8th June, 2015. No separate notices shall be issued. The parties are at liberty to file the amended pleadings.”

4. As a sequel of above, it appears that the decision taken by the School Tribunal and the consequential relief sought by the petitioners in the matter of absorption of service was looked into in Writ Petition No.144 of 2016, which was disposed of vide judgment and order dated March 07, 2016. The Education Officer was directed to absorb the services of the petitioner.

5. The petitioner-Management, through this petition, is seeking direction to the respondent No.2-Education Officer (Secondary), Zilla Parishad, Buldana to pay back wages to the respondent No.1 from the date of termination till the date of reinstatement and to decide the representation of the petitioners dated October 18, 2021.

6. The counsel for the petitioner, Ms Vedika Thakare, submits that the petitioners have taken away the papers and there are no instructions. It is prayed that time be granted to the counsel to seek instructions.

7. However, in the light of the prayers made, we deem it appropriate to dispose of the petition by directing that if the grievance is not already redressed, the representation of the petitioners dated October 18, 2021 be decided by the respondent No.2 expeditiously and in accordance with law.

8. The petition stands disposed of.

(VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)