



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

Writ Petition No.3757/2025

Vasant Adivasi Sudhar Seva Mandal and another V Gajanan and another

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

Court's or Judge's orders

Mr. P.A. Kadu, Advocate for petitioners.
Mr S. Joshi, AGP for respondent no.2.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 21-07-2025.

Heard Mr. Parag Kadu, learned Advocate for the
petitioners.

2. This petition takes exception to the order dated 23-06-2025 passed by the Presiding Officer, School Tribunal, Amravati allowing the application filed by the employee seeking directions to the Management to produce certain documents on record.

3. Mr. Kadu, learned Advocate for the petitioners submits that the employee i.e. appellant before the Tribunal has filed application at Exhibit-24 seeking production of about 07 documents on record by contending that the respondent Management is the custodian of those documents and the documents are necessary to verify the factual matrix and decide the appeal on merits. Learned Counsel for the petitioner-

Management submits that the documents which are demanded by the employee are in fact available with the employee and he himself could have filed the documents. He also vehemently submits that the documents sought to be produced are not necessary for deciding the real controversy involved in the appeal.

4. It is pertinent to note that the petition raises challenge to an interim order passed by the School Tribunal by which the Management is directed to produce on record the following two documents :

"(i) Copies of appointments orders from 1990 to 1995 issued to the appellant on year to year basis and appointment order of June, 1995;

(ii) Copy of resolution passed by the management with respect to issuance of appointment order of June, 1995."

5. It is thus clear that the employee has sought production of these documents which are in the custody of the Management. Even the reply of Management to the application seeking production of documents clearly shows that the reason for opposition is that the documents are also available with the employee. However, it has to be seen that the documents which are directed to be produced are with respect to the appointment

orders of the year 1990 to 1995 and copy of the resolution passed by the Management with respect to the appointment order of June, 1995. It is thus clear that the production of these documents will assist the Court in resolving the factual aspects of the controversy. Perusal of the impugned order shows that the Tribunal has given due consideration to the need for filing the documents demanded by the employee and out of 07 documents demanded, the Tribunal has directed the Management to file on record only two documents which are found relevant. Although, learned Counsel for the petitioners points out that out of 07 documents the other documents were already filed by the Management, still the employee has requested for production of all the 07 documents.

6. Having regard to the contentions advanced it appears that there is no perversity in the directions to produce the two documents. Learned Presiding Officer has given due consideration to all the aspects and having regard to the need for ascertaining the factual position, the impugned order is passed. There is no illegality in the impugned order.

7. I find no perversity in the impugned order. Writ Petition deserves to be dismissed and the same is dismissed. No order as to costs.

(Prafulla S. Khubalkar, J.)