



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

Writ Petition No.636 of 2025

Gram Vikas Shikshan Mandal, Nagpur and another
vs.

Devendra s/o Vasantrao Balamwar 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. P.N. Shende, Advocate for the Petitioners.
Mr. A.D. Mohgaonkar, Advocate for Respondent No.1.
Ms. D.V. Sapkal, A.G.P. for Respondent No.2.
Mr. A.G. Moharir, Advocate for Respondent No.3.

CORAM : **ANIL L. PANSARE, J.**

DATE : **22nd APRIL, 2025.**

Heard for some time.

02. Petitioner No.1 in the capacity as Secretary of the Management has filed petition against respondent No.1-employee, respondent No.2-Education Officer and respondent No.3-President of the Management.

03. The contention is that, the School Tribunal has passed interim relief without affording an opportunity of hearing to the Management. The order impugned, however, indicates that respondent No.3 was present before the School Tribunal and was heard. So far as petitioner No.1 is concerned, the School Tribunal noted that though served, he failed to appear.

04. The Counsel for the petitioner submits that notice was issued by the School Tribunal on 06/01/2025 making it returnable on 09/01/2025, and on 10/01/2025, the order impugned has been passed. The Counsel for the petitioner further submits that notice was served on the petitioner on 17/01/2025 and, therefore, the petitioner had no occasion to appear before the School Tribunal.

05. As against, the Counsel for respondent No.1-original appellant submits that notice was served on the petitioner on 09/01/2025. He submits that acknowledgment to that effect is in his possession and seeks time to place it on record.

06. The petitioner as also respondent No.1 shall file affidavit as regards date of service of notice.

07. The another question that would require consideration is, whether the School Tribunal has committed any error by not giving opportunity of hearing to the Secretary inasmuch as the President of the Society was present and heard. In other words, the question is, whether the Management was afforded an opportunity of hearing, which appears to have been given through the President.

08. List on 25th June, 2025 for further consideration.

(Anil L. Pansare, J.)

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