IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

907 WRIT PETITION NO. 7062 OF 2024

The Secretary Milind Shikshan Prasarak Mandal And Another
VERSUS
Kailas Fakirrao Patange And Another

Mr.V.D.Gunale, Advocate for petitioners
Mr.S.E.Rudrawar, Advocate for respondent no.1
Mr.B.B.Virdhe, AGP for respondent no.2

CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 23, 2026

ORDER :-

Feeling aggrieved by the judgment and order dated 20.03.2024 passed by learned Presiding Officer, School Tribunal, Latur in Appeal No.12 of 2023, the School Management is before this court in Writ Petition.

2. An appeal before the School Tribunal was filed by respondent no.1 - employee under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, challenging his termination. After hearing the parties, the School Tribunal partly allowed the appeal and set aside the order of termination. Reinstatement was ordered directing the School Management to pay the back wages to the extent of 80% and casting

liability of payment of 20% of the back wages on original respondent no.3 i.e. Deputy Director of Education, Latur. Suffice it to note, the Deputy Director of Education, Latur, though served did not participate in the appeal proceedings.

3. During the pendency of the present Writ Petition, Respondent No. 1–Employee and the Petitioners–School Management entered into a settlement. Pursuant thereto, a request was made to the Deputy Director of Education to declare the employee as surplus. The said request was accepted, and the employee was accordingly declared surplus. Subsequently, he was also absorbed in another school. In view of the aforesaid settlement, respondent no.1/the employee is relinquishing all his claims against the School Management. The respondent no.1/employee has waived his claims for back wages against the School Management. However, as regards the 20% of back wages, which the School Tribunal has directed to be recovered from the Deputy Director of Education, is concerned, the parties have agreed that the employee shall pursue his claim for such back wages against the Deputy Director of Education.

4. The copy of the compromise deed tendered by the learned advocates for the parties, is taken on record and marked as “X” for the purpose of identification.

5. In view of the settlement between the parties, Mr.Gunale, learned advocate for the petitioners, on instructions, seeks leave to withdraw the Writ Petition. In view thereof, the Writ Petition stands disposed of as withdrawn.

[AJIT B. KADETHANKAR, J.]

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