

Presented on : 07.01.2019
Registered on : 07.01.2019
Decided on : 20.08.2024
Duration : 5 yrs. 7ms. 13 ds.

BEFORE THE PRESIDING OFFICER SCHOOL TRIBUNAL MUMBAI

[Presided over by Mrs. Pratibha P. Ingale]

Appeal No. 20/2023

Exh. 37

Mr. Chandrakumar Nagnath Vishwakarma
Age 46 years,
C/o. Shri N.R. Vishwakarma,
2, Ashok Niwas, Sharma Estate,
Kokani Pada, Kurar, Malad (East),
Mumbai – 400 097.

... APPELLANT

Vs.

1. Vidyavardhini
Through its Secretary,
having its office at Vasai Road (W. Rly.),
Tal. Vasai, Vasai (W),
Palghar – 401 202.
2. Bhausahab Vartak Polytechnic
Through its Principal,
having Office at
Vidyavardhini's Bhausahab Vartak Polytechnic,
Vasai Road,
Palghar – 401 202.
3. Joint Director,
Technical Education, R.O. - Mumbai
Government Polytechnic Campus,
Kherwadi, Bandra (East),
Mumbai – 400 051.

... RESPONDENTS

Appeal :- U/Sec. 9(1)(a) of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977.

Appearance :

For Appellant	- Adv. Mr. J.B. Apte
For Respondent Nos. 1 & 2	- Adv. Mr. Shaikh Nasir Masih.
Respondent No. 3	- In person.

J U D G M E N T

(Delivered on August , 2024)

1. By filing this appeal U/Sec. 9 of Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act 1977 and the Rules of 1981 framed thereunder (hereinafter in short 'the MEPS Act, 1977' and 'MEPS Rules 1981') appellant has prayed for quashing and setting aside his termination order dt. 05.12.2018 w.e.f. 06.12.2018 from the post of lecturer and reinstate her on the post of lecturer w.e.f. 13.04.2015 with all consequential benefits along with continuity of service and full back-wages with interest @ 18% p.a. on the arrears amount till the date of compliance of order.

Case of the appellant is as follows :

2. According to appellant, the Respondent No. 1 is a registered society and trust which runs Respondent No. 2 Bhausahab Vartak Polytechnic which is a self-financed, private, unaided polytechnic institute which offers diploma courses in engineering technology.

Respondent No. 3 is Joint Director, Technical Education for Mumbai Region, an authority who grants recognition and approvals.

3. According to appellant, he is B.E. (Machine Tools) with First Class (Honors) and M.E. (Mechanical). He is qualified and eligible for appointment on the post of lecturer in Technical Colleges including the respondent polytechnic. He was appointed on the post of lecturer vide order dt. 01.09.1994 on probation for a period of 2 years. He has satisfactorily completed probation period and accordingly confirmation order dt. 02.01.1997 was issued.

4. According to appellant, he raised certain demands for the employees of Respondent No. 2 including demand for release of arrears of senior scale, selection grade and salary as per pay-commission of the state. He agitating for the demands since 2011. Therefore the Respondent Nos. 1 and 2 started harassing him and initiated inquiry firstly in the year 2011 and his services were terminated. This is the second time when inquiry was initiated against him on the basis of F.I.R. registered by Anti Corruption Bureau of Thane (hereinafter in short 'ACB') on 07.04.2015 for allegedly taking bribe from one of the student of polytechnic Mr. Ajax.

5. According to appellant, the Respondent No. 1 issued statement of allegations cum show-cause notice dt. 13.04.2015 and also issued suspension order. He was made to attend institution every day to mark his attendance for subsistence allowance and was made to wait for hours. His subsistence allowances deducted for late mark, half days and absence. He replied the statement of allegations vide his reply dt. 18.04.2015 denying all the allegations leveled against him. His reply

was not accepted as satisfactory and intimated him vide letter dt. 27.04.2015 that management decided to hold an inquiry against him. He nominated Mr. H.M. Bhosale as his nominee on the inquiry committee by his letter dt. 11.05.2015. The inquiry committee deemed to have constituted on 12.05.2015. Charge-sheet dt. 15.05.2015 with allegations that he was caught by ACB, Thane taking bribe from student and pursuant to which he was arrested; this was reported in various news reports and therefore damaged reputation of the respondents; and appellant was associated with some classes. He replied the charge-sheet by his reply dt. 27.05.2015 and denied all the allegations. The first meeting of inquiry committee consisting following members was held on 01.07.2015 -

1. Mr. M.N. Mohol - Management Representative.
2. Mr. Ramakant Pande - State Awardee teacher
3. Mr. H.M. Bhosale - Employee's nominee.

6. According to appellant, the second meeting of the inquiry committee held on 15.07.2015, he complained by his letter dt. 15.07.2015 about constitution of committee, unlawful suspension, inappropriate subsistence allowance, seeking permission from advocate to defend himself. As the inquiry was continued despite his objection, he filed a Civil Suit bearing RCS No. 381/2015 against the constitution of the inquiry committee and sought stay on the inquiry from the court on 29.07.2015. The fourth meeting was conducted and adjourned to 06.08.2015 and no meetings were held thereafter pending the civil suit. The Civil was pleased to grant interim stay on 26.11.2015. Thereafter inquiry remained pending till 26.11.2015.

7. According to appellant, the Respondent No. 1 challenged the order dt. 26.11.2015 before Appellate Court at District Court Vasai. The appeal was rejected on 15.02.2017.

8. According to appellant, by letter dt. 05.04.2017 the CEO Mr. A.G. Vartak informed appellant of decision of Respondent No. 1 to reconstitute inquiry committee with new members and start if afresh from the stage it was vitiated. Thereafter fresh inquiry committee consisting following members were constituted -

1. Mr. S.B. Jadhav - Management nominee
2. Mrs. Vandana Patil - National Awardee teachers
3. Mr. H.M. Bhosale - Nominee of the appellant.

9. According to appellant, the first meeting of newly formed committee was held on 08.06.2017. This inquiry committee conducted its proceedings in Marathi whereas earlier committee conducted in English. Appellant requested for conducting the proceeding in English as he is not well versed with Marathi but the convener did not agree and the inquiry was continued in Marathi only. The appellant sought certain documents but they are not provided. He was not given access to his educational certificates. The Respondent Nos. 1 and 2 had sealed the cupboard in which certificates of appellant were lying.

10. According to appellant, the management was required to complete the inquiry within 120 days from the date of suspension or from the first date of inquiry committee whichever is earlier. He was suspended on 13.04.2015 without obtaining permission from Respondent No. 2. Thus he ceased to be under suspension after 120 days and deems to have

resumed his duties without prejudice to continuance of inquiry. But the management did not reinstate him therefore he demanded reinstatement by letter dt. 06.01.2018 and 12.02.2018. Therefore he filed Writ Petition No. 4688/2018 in Hon'ble High Court seeking subsistence allowance as per rules and reinstatement. The said writ petition is pending. Respondent sent letter dt. 17.03.2018 informing next date of inquiry committee which was scheduled on 27.03.2018 but this meeting was canceled by letter dt. 26.03.2018 for indefinite period.

11. According to appellant, by letter dt. 05.06.2018 he was informed that Mr. S.B. Jadhav having resigned as management representative was replaced by Mr. M.N. Mohol. He was informed of first meeting of newly reconstituted committee to be held on 21.06.2018. He attended the meeting and submitted that for 369 days from the first date of reconstituted inquiry committee i.e. 08.06.2017 the inquiry was pending and same violates provisions of MEPS Act and Rules and no permission of Respondent No. 3 is taken for extension of inquiry. He also sought reinstatement pending inquiry. Respondent No. 3 by order dt. 06.08.2018 granted extension of time for conduct of inquiry inspite of objection of appellant vide letter dt. 25.06.2018. Appellant requested for stay of inquiry till criminal proceeding instituted by ACB is decided.

12. According to appellant, many parents and students had filed complaints against several lecturers who were forcing the students and parents to join the private tuitions that the lecturers were conducting. Despite complaints no action was taken by Respondent Nos. 1 and 2 against these lecturers. On the other hand the appellant who was not taking any private tuitions was victimized based only on a statement given U/Sec. 161 of Criminal Procedure Code. On 16.10.2018 the

appellant attended the meeting of inquiry committee and placed on record a letter with copy of Government Resolution dt. 09.01.2017 stating that employees of private institutes come under the purview of the Prevention of Corruption Act only after 09.01.2017 and the date of ACB trap being 07.04.2015. Hence the action taken by ACB Thane against appellant was illegal.

13. According to appellant, the extension granted by Respondent No. 3 had got over on 03.11.2018. Respondent Nos. 1 and 2 sought further time of 45 days from Respondent No. 3 but same was not granted therefore inquiry proceeding after 03.11.2018 was illegal and unlawful.

14. According to appellant, on 30.11.2018 the nominee of appellant Mr. Bhosale was called by convener at 11.00 a.m. and was explained what he was to write in the report. National awardee teacher member was asked to accept the report prepared by management representative. Therefore there was no independent and justified finding and view of national awardee.

15. According to appellant, despite not having any further extension from Respondent No. 3, he approached the convener and submitted a letter with a request to allow him to participate in the proceeding of inquiry, lead witnesses and cross-examine the documents on record, as he was feeling completely fit and fine. However convener denied him the opportunity to defend himself. This clearly shows the ill intention of Respondent Nos. 1 and 2 to terminate his services without affording him any opportunity to defend himself violating principles of natural justice. Further explanation dt. 24.11.2018 was submitted by him raising grievance of proceedings of inquiry in his absence. His nominee was

forced to submit his report in hurry and in very short period and in any case on or before 03.12.2018. His nominee exonerated him of all charges whereas other two members found him guilty on the basis of statement U/Sec. 161 of Cr.P.C. allegedly given by appellant to ACB Thane during police custody and ordered to be terminated. The Respondent No. 1 thereafter issued the order of termination dt. 05.12.2018 communicating the decision of the management taken in meeting held on 05.12.2018.

16. Being aggrieved by the termination order issued by the management dt. 05.12.2018 the appellant filed this appeal on the ground that inquiry failed to appreciate that appellant has been falsely implicated and framed in a staged criminal case by Respondent Nos. 1 and 2 through students. The allegations were completely based on criminal case. Majority members of inquiry committee failed to appreciate that inquiry was initiated on pretext of letter dt. 09.04.2015 and 17.04.2015 by ACB Thane when Respondent No. 1 was under obligation to await the outcome of investigation and criminal trial. No permission was sought from Respondent No. 3 for suspension and initiation of inquiry against him. Majority members of inquiry committee failed to appreciate that he was entitled to join back service on his release from custody pending the trial in the criminal case filed by ACB Thane. The finding of inquiry committee is based on the alleged statement of Mr. Mazumdar made U/Sec. 161 before investigating officer of ACB Thane when none of them were produced as witness and when the statement was not even signed by Mr. Mazumdar. The inquiry committee failed to appreciate that ACB Thane had filed a charge-sheet in the criminal case on 03.09.2018 i.e. nearly after 3½ years and

therefore it was necessary for the inquiry committee to await result of criminal trial. No witness was produced by Respondent Nos. 1 and 2 in the inquiry to prove its charges or allegations. The Respondent No. 1 did not consider the report of his nominee which clearly stated that appellant was being victimized and he was not guilty of any charges. The majority of inquiry committee was biased against appellant as it refused to direct Respondent Nos. 1 and 2 to produce documents sought for. The inquiry committee did not consider his written reply. By relying on all these grounds the appellant prayed to quash and set aside the order of termination dt. 05.12.2018 and direct the Respondent Nos. 1 and 2 to reinstate him on the post of lecturer w.e.f. 13.04.2015 with full back-wages and continuity of service. He also prayed for all other benefits of service counted from initial date of appointment along with an interest of 18% p.a. on the arrears amount till the date of compliance of order.

Case of the Respondents is as follows :

17. The Respondent Nos. 1 and 2 appeared and filed their written statement at Exh. 12. They denied all the contentions of the appellant in the appeal memo. According to these respondents the appeal is not maintainable, misconceived suffers from non-joinder of proper and necessary parties and deserves to be dismissed. They prayed to frame following issues -

- a) Whether findings of statutory authority i.e. the inquiry committee can be set aside by this Hon'ble Tribunal ?
- b) Whether the inquiry was conducted in accordance with the relevant rules and principles of natural justice ?

- c) Whether there can be re-appreciation of the evidence as recorded by the statutory authority i.e. inquiry committee ?
- d) Whether on the proper assessment of the inquiry proceedings, the findings of the statutory inquiry committee can be said to be perverse ?

If this Hon'ble Tribunal after hearing the above said preliminary issues comes to the conclusion that either the inquiry was not fair and proper or the findings were perverse, then these respondents be given additional opportunity to lead evidence and prove the charges. It is well settled law that even if this Hon'ble Tribunal comes to conclusion that the inquiry was faulty due to any reason then this Tribunal be pleased to direct the inquiry be recommenced from the stage this Tribunal found the same to be defective.

18. According to these respondents, the appellant has withheld and suppressed material information and has not come with clean hands to this Tribunal. They have strictly followed the due process of law required to be followed under the MEPS Act, 1977 and Rules 1981. Looking to the seriousness and gravity of the charges, particularly the appellant being indulged in the acts of misdeeds as detailed in the charge-sheet, they were constrained to initiate the disciplinary proceedings against appellant. Therefore they have appointed inquiry committee as per Rules. The appellant was at all times accorded fair and reasonable opportunity meet the charges however having realized that the charges leveled against him would be fully established, he started creating grounds, causing delays even by resorting to the litigation and by raising irrelevant issues. The statutory authority of inquiry committee came to

the conclusion that the charges leveled against the appellant are established and therefore it was pleased to hold him guilty of the charges which resulted in termination of his services. It is well settled proposition of law that even if two views are possible on the same findings the view taken by the management/disciplinary authority should not be disturbed. The appellant has prayed for setting aside order dt. 05.12.2018. This Tribunal gets a jurisdiction from the date of filing of appeal and has no authority grant any relief for the past period.

19. According to these respondents, the appellant was caught red-handed by the ACB Thane for demanding and accepting the bribe from the students under threats and intimidation. Appellant had called the students to a coaching class (Muzundar Classes) where he was caught red handed by the ACB, sapla panchnama was prepared and registered FIR dt. 07.04.2015. Accordingly press-note was also released by ACB. Thereafter the act of the appellant particularly his arrest by ACB had appeared in the local news papers on 08.04.2015 highlighting the name of the institution, thus causing damage to the reputation. In addition the news article were also flashed on the social websites and even on the website of ACB which were very much detrimental and prejudicial to the name and reputation of the institution. The appellant has deliberately and purposefully avoided annexing the aforesaid news paper reports though it was provided during the course of inquiry. Due to this act the students might be reluctant to take admission in the Respondent No. 2 Polytechnic which resulted in decrease in the admission and strength of students.

20. According to these respondents, the Police Inspector, ACB vide his letter dt. 09.04.2015 had brought the aforesaid fact to the knowledge of

Secretary of the Management and principal. Appellant was ordered to be taken in to police custody remand till 09.04.2015. Accordingly statement of allegations cum show-cause notice dt. 13.04.2015 was issued to the appellant containing the specific instances of his misdeed and misconduct. He was issued suspension dt. 13.04.2015. The appellant vide his reply dt. 18.04.2015 responded to the statement of allegations except evasive denials and he did not submit any acceptable explanation. He also submitted a separate reply also dt. 18.04.2015 contending that his suspension is unwarranted and he reserves right to file appropriate criminal proceedings against the CEO. His reply was placed before the managing committee in its meeting held on 24.04.2015 and after due discussion the management had resolved to hold inquiry. It was specifically brought to the notice of appellant that merely pendency of the criminal case is not no ground available to him and that the departmental inquiry is different from criminal trial. Thereafter charge-sheet dt. 15.05.2015 was served upon the appellant on 18.05.2015. The appellant vide his letter dt. 27.05.2015 submitted his explanation to the charge-sheet. The inquiry committee consisting Shri Ramakant Pandey -State Aware; Shri V.N. Vartak- management representative; and Shri H.M. Bhosale was constituted and the first meeting of the inquiry committee was convened on 01.07.2015. Three separate files containing documents was furnished to the three members and convener pointed out that one file is already given to the appellant. The meeting was unanimously adjourned on 15.07.2015 and thereafter on 24.07.2015. The appellant remained absent on 24.07.2015. The appellant filed Civil Suit No. 381/2015 on or about 29.07.2015 in the Court of 2nd Jt. Civil Judge, Junior Division, Vasai and obtained ex-parte ad-interim injunction restraining the management from continuing with the inquiry by present

inquiry committee till appearance of defendants therein. The appellant challenged the constitution of the inquiry committee. Vide further order dt. 26.11.2015 the Vasai court was pleased to temporarily restrain the management from continuing with the inquiry by the present inquiry committee. The management was further restrained from compelling the appellant to remain present in the college and mark his attendance during his period of suspension till the decision of the main suit.

21. According to these respondents, being aggrieved with the order dt. 26.11.2015 they had preferred Misc. Civil Appeal No. 102/2015 before Court of District Judge-2, Dist. Vasai. The said appeal was contested by respective parties and vide order dt. 15.02.2017 the said appeal was dismissed. Thereafter the management resolved to reconstitute the inquiry committee with new members and decided to recommence the inquiry against appellant from the stage it was held to be vitiated. The inquiry committee consisting Shri Shantaram B. Jadhav – Management nominee; Smt. Vandana Vasant Patil – State Awardee; and Shri H.M. Bhosale – Nominee of appellant. The first meeting of reconstituted inquiry committee was held on 08.06.2017 and it was observed that all the relevant documents are already given to the appellant and decided to record the proceedings in Marathi language. Due to inability expressed by management representative Shri S.B. Jadhav who was having severe health problems, was replaced by Shri M.N. Mohol as per resolution passed by the managing committee in its meeting held on 30.05.2018. Vide letter dt. 05.06.2018 CEO had informed the appellant about the same. As per intimation dt. 06.06.2018 the meeting of the inquiry committee was held on 21.06.2018. The appellant raised several contentions including the extension of time to complete the inquiry from

the Respondent No. 3. Though the appellant had attended the meeting with his nominee, he had refused to sign the minutes. In the said meeting it was recorded that the document in support of the charges is already furnished by appellant and additionally the documents were given to him, which he had refused to accept and had boycotted the inquiry.

22. The CEO vide his letter dt. 21.06.2018 applied for extension of time to the Jt. Director of Technical Education, Mumbai. The appellant vide his letter dt. 25.06.2018 addressed to Director of Technical Education objected the extension. In response the letter dt. 21.06.2018 of the management the Jt. Director of Technical Education vide its letter dt. 06.08.2018 was pleased to grant extension of time to complete the inquiry within a period of 90 days from the date of letter. The appellant attended the meeting dt. 24.08.2018 along with nominee and submitted a letter stating that he wish to avail the services of legal expert to help him in defending his case. His request was rejected by the managing committee in its meeting dt. 31.08.2018. He had been granted access to his cupboard on 12.09.2018. Thereafter meeting was held on 21.09.2018 wherein once again the opportunity was given to appellant either to cross-examine the presenting officer or to lead his own evidence in defence of his charges.

23. According to these respondents, the appellant to avoid facing the inquiry had filed a Civil Suit bearing RCS No. 640/2018 in the Court of 2nd Jt. Civil Judge Junior Division, Vasai on 19.09.2018 seeking a restraining order against the inquiry. The said civil suit was contested and vide order dt. 28.11.2018 the interim application was rejected.

24. According to these respondents, the management representative submitted that appellant should be given last opportunity either to cross-examine or lead his own evidence and meeting on convened on 11.10.2018. The appellant remained absent due to ill-health and the meeting adjourned on 16.10.2018. The nominee of the appellant requested to adjourn the meeting for a period of 15-20 days and suggested to seek extension of time from Jt. Director of Technical Education. The nominee of appellant also suggested that the criminal proceedings are illegal as per G.R. dt. 09.01.2017 and suggested to continue the inquiry as per Rule 33(6) of the MEPS Rules, 1981 after the outcome of the criminal case. In the meeting dt. 12.11.2018 the inquiry committee decided to close the proceedings holding that in spite of repeated opportunity the appellant has not submitted the evidence. It was also decided to conclude the inquiry proceedings and forward the summary within 4 days. On 20.11.2018 appellant acknowledged the summary of proceedings dt. 13.11.2018. The appellant vide letter dt. 24.11.2018 replied to the summary of proceedings. He contended that the extension granted by Jt. Director of Technical Education came to an end on 05.11.2018 and therefore the inquiry held on 12.11.2018 was illegal. He miserably failed to speak anything about the charges. The inquiry committee submitted report and finding on 03.12.2018, nominee of appellant also signed the joint and combined report dt. 03.12.2018 by making endorsement "disagree" on each and every page. The nominee of appellant submitted a separate report on which the other two members made an endorsement "disagree". Vide letter dt. 04.12.2018 the convener had forwarded the copy of the report, finding and decision dt. 03.12.2018 to the appellant as well as to Jt. Director of Technical Education. The report was placed before the management in its meeting

held on 05.12.2018 and it was resolved to accept the recommendations of the majority to impose major punishment of termination of the appellant's services. The chief executive officer issued termination order dt. 05.12.2018. Thereafter these respondents gave para-wise reply to the appeal of the appellant and lastly prayed to reject the appeal.

25. The Respondent No. 3 appeared and filed his reply at Exh. 24. According to this respondent, the Respondent No. 2 is a Polytechnic on no grant-in-aid pattern. The administrative and financial matters like appointment of staff, payment of pay and allowances, service matters of staff regarding termination etc are under the purview of the Respondent No. 1 and not under the purview of Respondent No. 3 i.e. Director of Technical Education, Maharashtra State. He prayed to pass appropriate orders in the matter.

Rejoinder of Appellant :

26. Appellant filed rejoinder to the written statement of Respondent Nos. 1 and 2 and reiterated the averments and contentions in the appeal memo. He denied everything mentioned in the written statement whatever is contrary to his appeal. The entire action against him was initiated on false and baseless charges only with a view to dismiss him from service. The constitution of the inquiry committee and the procedure followed by the committee is illegal and in violation of MEPS Rules, 1981. The respondents tried twice in the past to terminate his services on some or other grounds but could not succeed therefore leveling false and baseless charges of corruption the respondents issued charge-sheet, which is arbitrary and illegal. The orders of Civil Judge and

District Court very clearly show that the management has acted illegally only with a view to victimize him. Lastly he prayed to allow the appeal and to grant reliefs.

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27. I heard ld. Advocate for the appellant and for Respondent Nos. 1 and 2. Perused written arguments of appellant at Exh. 32 and written notes of arguments of Respondent Nos. 1 and 2 at Exh. 33. Also perused documents and pleadings of the parties on record. After hearing the submissions across the Bar, after perusing written notes of arguments on record following points arise for consideration. I have recorded my findings thereon for the reasons stated hereinafter. -

Sr. No.	Points	Findings
1.	Whether appellant proves that the reconstituted inquiry committee is not constituted and proceeded as per the MEPS Rules, 1981, as claimed by him ?	In the negative.
2.	Whether appellant proves that process of the second inquiry committee is liable to be quashed and set aside, as claimed by him?	In the negative.
3.	Whether appellant is entitled for all reliefs claimed in this appeal ?	In the negative.
4.	What order ?	As per final order.

28. In support of her claim the appellant has filed following documents on record below Exh. 5-

Sr. No.	Exhibit	Particulars of document	Page no.
1.	A	Copy of B.E. degree certificate	67
2.	B	Copy of M.E. degree certificate	68
3.	C	Copy of order of appointment dt. 01.09.1994	69
4.	D	Copy of confirmation order dt. 02.01.1997	70
5.	E	Copy of reply to the notice dt. 26.06.1997 by appellant.	71-74
6.	F	Copy of reply by Member Teachers of BRPTU to the notice dt. 26.06.2006	75-76
7.	G	Copy of letter of TAFNAP, Vasai Unit Formation	77
8.	H	Copy of letter dt. 02.08.2011 related to demands	78
9.	I	Copy of office order dt. 10.07.2011 Ref No. BVP/12/2011.	79
10.	J	Copy of show-cause notice dt. 05.12.2011.	80-81
11.	K	Copy of reply dt. 17.12.2011 by appellant to notice dt. 08.08.2011.	82-85
12.	L	Copy of minutes of meeting dt. 15.11.2011 of management to initiate inquiry.	86-89
13.	M	Copy of stay order dt. 15.10.2011 in MCA NO. 167/2011.	90-100
14.	N	Copy of letter dt. 04.09.2013 related to agitations dt. 19.09.2013.	101-102

15.	O	Copy of FIR dt. 07.04.2015 filed against appellant.	103-105
16.	P	Copy of letter dt. 09.04.2015 by I.O., ACB Thane.	106-108
17.	Q	Copy of letter dt. 17.04.2016 by S.P., ACB Thane.	109-112
18.	R	Copy of statement of allegations-cum show-cause notice 13.04.2015.	113-115
19.	S	Copy of suspension order dt. 13.04.2015.	116-118
20.	T	Copy of reply dt. 18.04.2015 to show-cause notice.	119-122
21.	U	Copy of reply dt. 18.04.2015 to suspension order.	123-125
22.	V	Copy of letter dt. 27.04.2015.	126
23.	W	Copy of letter dt. 11.05.2015.	127-128
24.	X	Copy of charge-sheet by management.	129-131
25.	Y	Copy of reply dt. 27.05.2015 by appellant.	132-139
26.	Z (Colly)	Copies of the minutes of meeting dt. 01.07.2015 and index of list of documents dt. 16.07.2015.	140-141
27.	AA	Copy of minutes of 2 nd meeting.	142-143
28.	BB	Copy of minutes of 3 rd meeting.	144
29.	CC	Copy of complaints/letters dt. 15.07.2015.	145-148
30.	DD	Copy of order dt. 29.07.2015.	149-150
31.	EE	Copy of order dt. 26.11.2015.	151-159
32.	FF	Copy of order dt. 15.02.2017.	160-168
33.	GG (Colly)	Copy of some of letters concerning subsistence allowance.	169-177

34.	HH	Copies of letters dt. 05.04.2017.	178
35.	II (Colly)	Copies of letters dt. 20.04.2017.	179-180
36.	JJ	Copy of minutes of 1 st meeting dt. 08.06.2017.	181-182
37.	KK	Copy of minutes of meeting dt. 21.06.2017	183
38.	LL	Copy of minutes of meeting dt. 01.07.2017.	184-186
39.	MM	Copy of various letters dt. 01.07.2017.	187-190
40.	NN	Copy of letter seeking copies of documents dt. 28.05.2015.	191
41.	OO	Copy of letter sent by Mr. H.M. Bhosale.	192
42.	PP	Letter from ACB Thane dt. 06.01.2017.	193
43.	QQ	Copy of minutes of meeting dt. 14.07.2017.	194
44.	RR (Colly)	Copies of letter dt. 06.01.2018 and 12.02.2018.	195-199
45.	SS (Colly)	Copies of letter dt. 17.03.2018 and 26.03.2018.	200-201
46.	TT	Copy of letter dt. 05.06.2018.	202
47.	UU (Colly)	Copies of letter dt. 06.06.2018 and letters addressed to Convener and CEO dt. 21.06.2018 and minutes of meeting dt. 21.06.2018.	203-210
48.	VV (Colly)	Copies of letters dt. 21.06.2018 and 25.06.2018.	211-216
49.	WW	Copy of minutes of meeting dt. 24.08.2018.	217-220
50.	XX	Copies of letters dt. 24.08.2018.	221-224
51.	YY	Copies of minutes of meeting for 04.09.2018.	225-227
52.	ZZ	Copies of minutes of meeting for 10.09.2018.	228-232

53.	AAA (Colly)	Copies of letters dt. 10.09.2018.	233-237
54.	BBB (Colly)	Copies of complaints 07.03.2016 and 05.08.2016.	238-247
55.	CCC (Colly)	Copies of applications dt. 21.09.2018	248-252
56.	DDD	Copy of minutes of meeting dt. 21.09.2018.	253-260
57.	EEE (Colly)	Copies of email and medical certificate for hospitalization sent by appellant to Respondent No. 2, minutes of meeting dt. 25.09.2018.	261-264
58.	FFF (Colly)	Copies of defamatory letter dt. 25.09.2018 submitted by Respondent Nos. 1 and 2 and the reply given by hospital dt. 26.09.2018.	265-267
59.	GGG (Colly)	Copy of order dt. 19.09.2018 and final order.	268-284
60.	HHH (Colly)	Copies of minutes of meetings dt. 27.09.2018, 03.10.2018, 05.10.2018 and 11.10.2018.	285-296
61.	III (Colly)	Copy of letters sent by Appellant his relatives dt. 03.10.2018 and 11.10.2018.	297-302
62.	JJJ (Colly)	Copy of document dt. 16.10.2018.	303-306
63.	KKK	Copy of letter dt. 01.11.2018.	307
64.	LLL	Copy of minutes of meeting dt. 12.11.2018.	308-310
65.	MMM (Colly)	Copy of letter dt. 14.11.2018.	311-314
66.	NNN	Copy of RTI reply.	315-318
67.	OOO	Copy of said letter dt. 03.12.2018.	319.
68.	PPP	Copy of further explanation dt. 24.11.2018.	320-324

69.	QQQ	Copy of report submitted by the members of the reconstituted inquiry committee.	325-414
70.	RRR	Copy of order of termination dt. 05.12.2018.	415-418

29. The Respondent Nos. 1 and 2 filed following documents along with Exh. 18A-

Sr. No.	Particulars of document	Page no.
1.	Copy of letter from ACB dt. 09.04.2015 about arrest of Mr. Vishwakarma.	1-3
2.	Copy of letter from ACB dt. 17.04.2015 to secretary asking about action taken by institute.	4-7
3.	Copy of news paper Maharashtra Times dt. 08.04.2015.	8
4.	Copy of news paper Sakal dt. 09.04.2015.	9
5.	Copy of news paper Lokmat dt. 08.04.2015.	10
6.	Copy of news paper Narvir Chimaji dt. 08.04.2015.	11-12
7.	Copy of news paper Jaglya dt. 08.04.2015.	13-14
8.	Copy of Times of India of India Internet news dt. 07.04.2015.	15
9.	Copy of ACB press note dt. 07.04.2015.	16
10.	Copy of extract from ACB webnote photo from "acbmaharashtra.gov.in"	17
11.	Copy of letter dt. 12.05.2015 from ACB to principal about discrepancy in name of dated.	18
12.	Copy of statement of allegations dt. 13.04.2015.	19-21
13.	Copy of suspension order dt. 13.04.2015.	22-24

14.	Copy of appellant's reply dt. 18.04.2015 to the statement of allegations dt. 13.04.2015.	25-28
15.	Copy of appellant's reply dt. 18.04.2015 to the suspension order dt. 13.04.2015.	29-31
16.	Copy of CEO's letter dt. 27.04.2015 dealing with the appellant's reply dt. 18.04.2015.	32-34
17.	Copy of CEO's letter dt. 27.04.2015 dealing with the appellant's letter dt. 18.04.2015 regarding suspension order.	35
18.	Copy of CEO's letter dt. 27.04.2015 dealing with the appellant's letter dt. 18.04.2015 about decision to hold inquiry and for appointing nominee on inquiry committee.	36-38
19.	Copy of appellant's letter dt. 11.05.2015 appointing his nominee in the inquiry committee.	39
20.	Copy of consent letter from Mr. H.M. Bhosale dt. 10.05.2015 the nominee of appellant.	40
21.	Copy of charge-sheet dt. 15.05.2015 issued to appellant.	41-43
22.	Copy of appellant's reply dt. 27.05.2015 to the charge-sheet.	44-51
23.	Copy of letter to awardee Shri Ramakant Pandey and his acknowledgement	52
24.	Copy of certificate of award of state of the earlier awardee	53
25.	Copy of CEO's letter dt. 13.07.2015 sent to CSE/appellant's informing about Mr. V.N. Vartak to be management representative.	54
26.	Copy of minutes of meeting of inquiry committee proceeding dt. 01.07.2015.	55
27.	Copy of minutes of meeting of inquiry committee	56-57

	proceeding dt. 15.07.2015	
28.	Copy of appellant's four letters all dt. 15.07.2015 addressed to convener.	58-61
29.	Copy of minutes of meeting of inquiry committee proceeding dt. 24.07.2015.	62
30.	Copy of letter dt. 24.07.2015 from CEO to convener.	63-66
31.	Copy of convener's letter dt. 24.07.2015 to appellant.	67
32.	Copy of convener's letter dt. 24.07.2015 to the appellant.	68
33.	Copy of CEO letter dt. 05.04.2017 to the appellant about reconstitution of inquiry committee.	69
34.	Copy of appellant's letter dt. 20.04.2017 about appointment of his nominee.	70
35.	Copy of letter from Mr. H.M. Bhosale dt. 20.04.2017 about his appointment as nominee of appellant.	71
36.	Copy of the minutes of meeting of reconstituted inquiry committee proceeding dt. 08.06.2017	72-73
37.	Copy of minutes of meeting of inquiry committee proceeding dt. 21.06.2017.	74
38.	Copy of minutes of meeting of inquiry committee proceeding dt. 01.07.2017.	75-77
39.	Copy of explanation submitted by the awardee Mr. S.B. Jadhav.	78-85
40.	Copy of annexure 1-4 attached to the above khulasa/explanation.	86-120
41.	Copy of annexure 5-8 of appellant.	121-128
42.	Copy of jodpatra 9 of Mr. H.M. Bhosale.	129-145
43.	Copy of minutes of meeting of reconstitution inquiry committee proceeding dt. 14.07.2017.	146

44.	Copy of CEO letter dt. 05.06.2018 to appellant regarding replacement of management representative.	147
45.	Copy of convener's letter/intimation dt. 06.06.2018 to the appellant.	148
46.	Copy of the minutes of meeting of reconstitution inquiry committee proceeding dt. 21.06.2018.	149-151
47.	Copy of statement dt. 21.06.2018 of presenting officer Mr. V.N. Vartak.	152-153
48.	Copy of appellant's letter dt. 21.06.2018 addressed to CEO.	154-159
49.	Copy of CEO letter dt. 18.06.2018 appointing Shri V.N. Vartak as presenting officer along with annexure thereto.	160-225
50.	Copy of convener's letter dt. 13.08.2018 intimating the appellant about the next meeting date.	226
51.	Copy of the minutes of meeting of reconstitution inquiry committee proceeding dt. 24.08.2018.	227-230
52.	Copy of appellant's letter dt. 24.08.2018 addressed to convener.	231-246
53.	Copy of document from P.O. Shri V.N. Vartak of 13 pages presented before the reconstitution inquiry committee dt. 24.08.2018.	247-259
54.	Copy of minutes of meeting of reconstitution inquiry committee proceeding dt. 04.09.2018.	260-262
55.	Copy of CEO letter dt. 03.09.2018 to the appellant about availing legal expert.	263-264
56.	Copy of document filed by P.O. and copy of appellant's letter dt. 24.04.2018, presented before inquiry committee on 04.09.2018.	265-270
57.	Copy of minutes of meeting of reconstitution inquiry committee proceeding dt. 10.09.2018.	271-275

58.	Copy of three letters from appellant dt. 10.09.2018 with medical certificate.	276-280
59.	Copy of letter dt. 04.08.2018 from ACB.	281
60.	Copy of statement given by Mr. Sanjeev V. Mazumdar (classes) recorded before ACB Officer.	182
61.	Copy of appellant's letter/application dt. 07.04.2015 to the ACB.	283-291
62.	Copy of CEO intimation letter dt. 12.09.2018 to the appellant about next meeting date.	292
63.	Copy of presenting officer letter dt. 15.09.2018 addressed to appellant with list of documents.	293-295
64.	Copy of minutes of meeting of reconstitution inquiry committee proceeding dt. 21.09.2018.	296-303
65.	Copy of presenting officer letter dt. 21.09.2018 addressed to convener.	304-307
66.	Copy of appellant's two letter dt. 21.09.2018 to convener with attachments.	308-329
67.	Copy of minutes of meeting of reconstitution inquiry committee proceeding dt. 25.09.2018.	330-331
68.	copy of minutes of meeting of reconstituted inquiry committee proceeding dt. 27.09.2018.	332-333
69.	Copy of minutes of meeting of reconstituted inquiry committee proceeding dt. 03.10.2018.	334-336
70.	Copy of intimation letter dt. 04.10.2018 to appellant about the next meeting date.	337
71.	Copy of the minutes of meeting of reconstituted inquiry committee proceeding dt. 05.10.2018.	338-342
72.	Copy of reply/explanation by presenting officer before inquiry committee on 05.10.2018 to letters of appellant's letter dt. 21.09.2018.	343-344
73.	Copy of reply/explanation by presenting officer	345-349

	before the inquiry committee on 05.10.2018 pertaining to issues raised by appellant before inquiry committee on 21.09.2018.	
74.	Copy of intimation letter dt. 08.10.2018 to the appellant about next meeting date.	350
75.	Copy of minutes of meeting of reconstituted inquiry committee proceedings dt. 11.10.2018.	351-352
76.	Copy of appellant's medical certificate dt. 06.09.2018.	353
77.	Copy of appellant's email dated 25.09.2018 along with medical certificate.	354-355
78.	Copy of appellant's wife smt. Kalpana C. Vishwakarma letter dt. 03.10.2018.	356-357
79.	Copy of appellant's letter dt. 03.10.2018 addressed to convener.	358.359
80.	Copy of appellant's sister (Smt. Sushma Vishwakarma) letter dt. 11.10.2018 to convener.	360.
81.	Copy of intimation letter dt. 11.10.2018 about the next meeting date.	361
82.	Copy of minutes of meeting of reconstituted inquiry committee proceeding dt. 16.10.2018.	362-364
83.	Copy of appellant's brother (Shri Girishkumar N. Vishwakarma) letter dt. 16.10.2018 to convener.	365-366
84.	Copy of intimation letter dt. 01.11.2018 about next meeting date.	367
85.	Copy of minutes of meeting of reconstituted inquiry committee proceeding dt. 12.11.2018.	368-370
86.	Copy of appellant's letter dt. 14.11.2018 addressed to convener.	371-374
87.	Copy of appellant's letter dt. 14.11.2018 addressed to convener.	375-377

88.	Summary of proceedings	377(a) to 377
89.	Copy of appellant's letter/reply to the summary of proceedings of reconstituted inquiry committee addressed to chairman and treasurer.	378-382
90.	Copy of intimation letter/notice dt. 26.11.2018.	383
91.	Copy of minutes of reconstituted inquiry committee dt. 30.11.2018.	384-387
92.	Copy of minutes of reconstituted inquiry committee dt. 01.12.2018.	388-391
93.	Copy of appellant's letter dt. 03.12.2018 addressed to convener, management nominee, national awardee & nominee of employee.	392
94.	Copy of the minutes of meeting of reconstituted inquiry committee dt. 03.12.202018.	393-395
95.	Copy of order dt. 28.09.2018 passed by Civil Judge Junior Division Vasai in Civil Suit No. 460/2018 in application filed by the appellant.	396-401
96.	Copy of order dt. 28.11.2018 passed by 2 nd Jt. Civil Judge Junior Division, Vasai in Civil Suit No. 460/2018.	402-412
97.	Copy of covering letter dt. 04.12.2018 addressed to Jt. Director DTEMS regarding submission of inquiry report.	413
98.	Copy of convener letter dt. 04.12.2018 along with combined report and findings of reconstituted inquiry committee dt. 03.12.2018 along with order of termination 05.12.2018 issued to appellant.	414-499
99.	Copy of independent report of nominee of CSE dt. 03.12.2018.	500-511

30. Perused the written notes of the appellant at Exh. 32. They have also cited the following citation alongwith their written notes of arguments -

1.	Hamid Khan Nayyar s/o Habib Khan Vs. Education Officer & Ors. - 2004(6) Bom.C.R. 871
2.	Vandana Sheshrao Kadam Vs. The State of Maharashtra & Ors – Writ Petition No. 8422/2018 dt. 04.02.2019.
3.	Madhukar s/o Laxmanrao Borde Vs. The State of Maharashtra & Ors. - 2021(7) ALL MR 490.
4.	Shaila Shamkant Pimple Vs. State of Maharashtra & Ors. - 2006(1) ALL MR 295.
5.	Chief Engineer, Latur Zone Vs. Nathuram s/o Wamanrao Mundhe – Writ Petition No. 11616/2018 dt. 20.02.2020..
6.	Ajay Kumar Choudhari Vs. Union of India through its secretary & anr. - Civil Appeal No. 1912/2015 (arising out of SLP© No. 31761/2013) (Hon'ble Supreme Court)

31. The appellant also filed supplementary written notes of arguments at Exh. 34 and cited following citations -

1.	Ashish Pandey & 16 Ors. Vs. State of U.P. Through Prin. Secy. Medical and Health Lucknow & Ors. - 2022) 09 AHC CK 0043.
2.	U.P. Avas Evam Vikas Parishad & Anr Vs. Friends Coop. Housing Society Ltd. & anr. - 1996 AIR 114.
3.	Ku. Sulochana Daulatrao Thakare Vs. Sangam Shikshan Sanstha & Ors. - 2004(1) ALL MR 644.
4.	Roop Singh Negi Vs. Punjab National Bank & Ors. - Civil Appeal No. 743/2008 (Arising out of SLP © No. 14429/2007).
5.	G.R. Swami Vs. The Presiding Officer, Central Government Industrial Tribunal – Writ Petition No. 17902/2009 (Hon'ble

	Madras High Court) dt. 13.03.2012.
6.	Ku. Arti d/o Vithalrao Warkhede Vs. The Education Officer (Secondary), Zilla Parishad, Wardha – 2011(2) ALL MR 273
7.	Gajanand Sharma Vs. Adarsh Siksha Parisad Samiti & Ors. - (2023) 01 SC CK 0049.
8.	Gurukul Shikshan Prasarak Mandal & Ors. - Sharda Ashok Suryagandh & Ors. - (2019) 12 Bom. CK 0043.
9.	Dinesh B.S. Vs. State of Karnataka – 2023 LiveLaw (SC) 594.
10.	Shri Rangdas Swami Shikshan Vikas Mandal & Ors. Vs. Shri Mutyal Vilas Rambhau & Ors. - 2024(2) ALL MR 116.

32. I have Perused the written notes of arguments of Respondent at Exh. 33. They have also filed citations below Exh. 35

1.	Banaras Electric Light & Power Co. Ltd. Vs. The Labour Court II Lucknow & Ors. - 1972 DGLS (SC) 253.
2.	B.C. Chaturvedi Vs. Union of India – 1995(6) SCC 749.
3.	Divisional Controller, KSRTC Vs. A.T. Mane – (2005) Supreme Court Cases 254.
4.	State of Rajasthan & Ors. Vs. Mohd. Ayub Naz – (2006) 1 SCC 589.
5.	V. Ramana Vs. A.P.S.R.T.C. & Ors. - (2005) 7 SCC 338.
6.	Vishvanath s/o Parshuram Kuduchkar Vs. State of Maharashtra – 2006(3) Mh.L.J. 817.
7.	Hombe Gowda Edn. Trust Vs. State of Karnataka – (2005) DGLS (Soft) 262.
8.	L.K. Verma Vs. H.M.T. Ltd. - (2006) AIR (SC) 975.
9.	S.B.I. Vs. Hemant Kumar – (2011) STPL (Web) 350 SC.
10.	Motilal Ramakant Mujumdar Vs. M/s. Purohit & Com. Ltd. & Ors. -

	(2007) Mh.L.J. 184.
11.	State of Punjab & Ors. Vs. Dr. Harbhajan Singh Greacy – (1996) 9 SCC 322.
12.	U.P. State Textile Corporation Ltd. Vs. P.C. Chaturvedi & Ors. - (2005) 8 SCC 211.
13.	Kendriya Vidyalaya Sangathan Vs. S.C. Sharma – (2005) 2 SCC 363.
14.	Senior Suptd. Telegraph (Traffic), Bhopal Vs. Santosh Kumar Seal & Ors. - (2010) 6 SCC 773.
15.	Shri Khandale Ramchandra Yeshwant Vs. State of Maharashtra & Ors. - Writ Petition No. 1004/2012 (Hon'ble Bombay High Court) order dt. 28.08.2014.
16.	Mrs. Teresa Lopes Vs. Carmelite Convent English High School & Ors. - 1996(1) ALL MR 474.
17.	Smt. Abeda Begam Abdul Gani Vs. Vishwa Vidya Vikas Shikshan Mandal, Solapur – 1995(O) BCI 134.
18.	Divisional Controller, KSRTC Vs.M.G. Vittal Rao. - (2012) SCC 442.
19.	State of West Bengal & Ors. Vs. Sankar Ghosh – SIR 2014 SC 405.
20.	Ajit Kumar Nag Vs. General Manager (PJ), Indian Oil Corporation. Ltd.
21.	Union Territory, Chandigarh Admin. & Ors. Vs. Pradeep Kumar & Ors. - (2018) SCC 797.
22.	Union of India & Ors. Vs. Amit singh – (2018) SCC 293.
23.	Management of Bharat Heavy Electronics Ltd. Vs. M. Mani – (2018) SCC 285.
24.	The Dy. Inspector Gen. Of Police & anr. Vs. S. Samuthiram – JT 2012 (11) SC 485.

As to Point Nos. 1 and 2

33. These points are interlinked with each other and for that reason they are taken for consideration jointly.

34. It is the contention of the appellant that he was working with the Respondent No. 2 as a full-time lecturer in Mechanical Engineering Department. He was also working with the concerned union of the employees of the Respondent No. 2. Hence appellant has difference on various points with Respondent Nos. 1 and 2. For this purpose this appellant has mentioned many incidences in his appeal. For this reason the contention of appellant is that the Respondent Nos. 1 and 2 falsely implicated him in many false allegations and charges and thereby Respondent Nos. 1 and 2 suspended he appellant from service on 13.04.2015. Appellant further contended that there was two inquiry committees formed by the Respondent Nos. 1 and 2 and conducted the alleged inquiry against the appellant. Whereas the 1st inquiry committee was constituted on 13 April 2015 and appellant was suspended by Respondent Nos. 1 and 2 on 13.04.2015. Whereas this appellant challenged the constitution and working of 1st inquiry committee before Civil Judge Junior Division, Vasai in RCS No. 381/2015. In this suit the interim application of the appellant was allowed and by the order of C.J.J.D. restrained the Respondent Nos. 1 and 2 to continue and proceed with 1st inquiry committee. Said suit is still pending before the CJJD Vasai.

35. Thereafter the contention of the appellant is that 2nd inquiry committee was constituted by the Respondent Nos. 1 and 2 in April 2017

and after completion of process of 2nd inquiry committee and on the basis of report of this 2nd inquiry committee the appellant has been terminated from his service by Respondent Nos. 1 and 2 on 05.12.2018. Said termination is challenged by appellant in this appeal.

36. For all above contention this appellant has filed many documents on record. On the other hand the Respondent Nos. 1 and 2 have also filed all documents of inquiry and also filed other relevant documents on record. When entire contentions of the appellant perused by this Tribunal, it appears that this appellant has unnecessarily plead many incident in this appeal and some are many time repeatedly mentioned in this appeal which cause inconvenience to this Tribunal and make the matter bulky, which is not necessary. The main grievance of the appeal by the appellant is that the 2nd inquiry committee constituted by the Respondent Nos. 1 and 2 are not legal and its work and process also not legal, as per MEPS Rules, 1981. As it is contention of appellant that the 2nd inquiry committee work held was required to be proceeded *de novo* but process of 2nd inquiry committee was started from the stage at which work of the previous committee has held to be vitiated. Therefore this appellant has claiming that the entire procedure and work of the 2nd inquiry committee is illegal. But this Tribunal finds no substance in the entire submission of the appellant in this appeal as when this appellant has challenged the constitution and working of the 1st inquiry committee in RCS No. 381/2015, they why he has not challenged the constitution and working process of the 2nd inquiry committee and he wait for the completion of the work of 2nd inquiry committee. This appellant has been given many opportunity in the 2nd inquiry committee to put his defence but he remains absent many of the times. The charges against

this appellant are very serious in nature and this appellant has challenged the procedure of 2nd inquiry committee on many grounds in this appeal but apparently it appear from the entire record of appeal that this appellant has taken unnecessary objections about the procedure of 2nd inquiry committee. If he has grievance against the 2nd inquiry committee procedure and its work then, why he has not taken said grievance and objection before the said 2nd inquiry committee. This aspect show that this appellant purposely not taken any objection before the 2nd inquiry committee and filed this false appeal on the false grounds before this Tribunal. When he already challenged 1st inquiry committee's constitution and working before CJJD then why he has not challenged the process of 2nd inquiry committee in the Civil Court. The entire behavior of this appellant appears false and fabricated. When the allegations/charge-sheet against the appellant are perused, it appear very serious in nature and he failed to disprove those charges before 2nd inquiry committee by giving his evidence., Hence for all these reasons this appellant is not entitled for any reliefs claimed in this appeal. Moreover the citations of appellant are not applicable to this case as facts and circumstances of the appellant's cited case are totally different to this case and moreover appellant also failed to prove his claim in this appeal.

37. On the other hand the above citations of the Respondent Nos. 1 and 2 are some extent applicable to this appeal as appellant failed to prove the working process of 2nd inquiry committee is illegal.

38. Hence for all these reasons I answer the Point Nos. 1 to 3 in the negative.

As to Point No. 4:

39. In view of findings given on Point Nos. 1 to 3, I proceed to pass the following order -

ORDER

- | | |
|--|---------------------------------|
| 1. | The appeal is hereby dismissed. |
| 2. | No order as to costs. |
| 3. | Decree be drawn-up accordingly. |
| Dictated and pronounced in open court. | |

20.08.2024.

Mrs. Pratibha P. Ingale
Presiding Officer
School Tribunal Mumbai

C E R T I F I C A T E

“I affirm that the contents of this P.D.F. file order are same word for word as per original order.”

Name of Steno	Venkatesh G. Pratapwar (Higher Grade)
Court Name	Mrs. Pratibha P. Ingle Presiding Officer, School Tribunal, Mumbai Region.
Date	20.08.2024
Order signed by Presiding Officer	20.08.2024
Order uploaded on	20.08.2024