

Shri. K. B. Parab,

V/s.

Karachi Maharashtra S.P.M. and others.

Order below Exh. 14
(Date - 05.02.2025)

Present the application and say filed by the respondent management. Ld. Counsel for the appellant absent. Heard the appellant in person and Ld. defence counsel Mr. Kulkarni.

2. According to the appellant this Tribunal has granted ad-interim relief till 05.02.2025, however, considering the conduct of the respondent management, it is necessary to continue the ad-interim relief till disposal of appeal. Per contra as per say and arguments advanced by the respondent management prior to passing order below Exh. 10 the respondent management issued order of promotion of Head master on 20.01.2025 and Mr. Varade is promoted on the post. Furthermore, the appellant is failed to comply with directions and Order 39 Rule 3 of Code of Civil Procedure. Thus, the application is infructuous.

3. As per the say of respondent management they have already passed necessary order, prior to the order of this Tribunal and one Mr. Varade is promoted as Head master. As the say is considered respondent management already issued the order so there is no point to extend the ad-interim relief.

4. I reviewed the record and proceeding. Admittedly, the relief of ad-interim injunction was granted in favour of the appellant subject to compliance of Order 39 Rule 3 of Code of Civil Procedure. But, unfortunately there is no compliance on record till today. Even today also the appellant has filed an affidavit on record but, have not filed postal receipt to show the compliance.

5. In such situation the ad-interim order can not be extended. Hence, application is rejected.

Date :- 05.02.2025
Place:- Kolhapur.

(V.N.Dhavle)
Presiding Officer,
School Tribunal, Kolhapur.