

Smt. S. M. Mali,

V/s.

Sharad Shikshan Prasarak Mandal and others.

Order below Exh. 74
(Date – 19.08.2025)

Present application filed by the respondent no. 4 to produce material documents on record. The appellant has filed her say and raised strong objection towards the application.

2. According to the respondent no. 4 in support of contention raised in the written statement she want to file material documents on record which will be helpful for the final adjudication of the appeal. Per contra, as per the say of the appellant, the appellant had completed her final arguments, thereafter at this stage production cannot be allowed. Furthermore, there is no explanation by the respondent no. 4 as to why the documents are submitted at delayed stage.

3. Heard both Ld. Counsel at sufficient length. Ld. Counsel appearing on behalf of appellant on last date of hearing filed an adjournment application in which he had suspicious about the documents on record and prayed for personal appearance of the appellant in the Tribunal. Today, the appellant alongwith her Ld. Counsel present in the Tribunal. Ld. Counsel Mr. Swami has argued that application for production be rejected. When the Court has asked about the suspicious documents he has not uttered single word about it. Ld. Counsel appearing on behalf of respondent no. 4 has argued that he is not custodian of those documents. He had asked

for those documents for concerned authority and after receipt he has filed those documents on record. The documents are material on the point which goes to the root of the case.

4. I have gone through the record and proceeding. It is transpired that the respondent no. 4 filed their written statement on record. Moreover, the documents submitted to the written statement were filed on the stage of final argument. I have gone through the documents proposed to be filed on record. Its all about the attendance and absentism of the appellant, educational certificates of the appellant as well as joining report, orders in respect of respondent no. 4. I do agree with the arguments advanced by the Ld. Counsel appearing on behalf of appellant as regard to delayed production. However, Ld. defence Counsel has argued on that point which are taken into consideration. Moreover, the documents except the muster roll and pertaining to appellant were in the custody of the respondent no. 4, which are concerned to her. Therefore, oral explanation given by the Ld. Counsel appearing on behalf of respondent no. 4 as regard to documents which are in the custody of the other authority is acceptable. However, the documents as regard to appointment, joining and other documents pertaining to respondent no. 4 the oral explanation cannot be accepted. However, all the documents are seems to be final decision of the case. Hence, production of documents is allowed, however, delay is caused by the respondent no. 4 to produce the documents. Hence, following order.

ORDER

1. Application is allowed subject to costs of Rs. 500/- same be credited to the District Legal Services Authority, Kolhapur on or before next date.
2. The appellant is at liberty to pass the comment upon the documents in fresh hearing of the appeal.

Date :- 19.08.2025

Place:- Kolhapur.

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