

Mr. Damodar Kashinath Mhase

..Appellant

..Vs..

President/Secretary,
Jyotiba Education Society
and Others.

..Respondents.

**Order below Exh.23A
(Dated 9th February, 2026)**

- 1) This is an application moved by the Respondents to produce documents on record.
- 2) Read application. Perused Say. Heard both sides.
- 3) According to Respondents, it is necessary to file documents regarding income source and properties of the Appellant, therefore permission may kindly be granted to produce documents on record regarding income and the properties owned by Appellant and his family.
- 4) This application is opposed by Appellant by filing say at Exh.25. According to Appellant, contents in the application are not true and correct. Respondent Nos.1 & 2 have filed written statement on record and thereafter Appellant has argued in the matter and now the matter is for final arguments on behalf of Respondents. The Respondents have not filed these documents along with written statement. After filing written statement respondents have

manufactured these documents. Hence, their production can not be allowed. Documents of which production is prayed for are not relevant and they are not in respect of income of the Appellant. Lastly, Appellant prayed for rejection of this application.

5) I have given thoughtful consideration to the submissions made before me. It is pertinent to note that, when any employee has terminated from service, during pendency of Appeal he has to file affidavit on record or at least plead that he is unemployed from the date of termination. Once Appellant filed affidavit on record stating that he is unemployed, Respondents have to prove that Appellant is gainfully employed. So when Appellant has come up with case that he is unemployed after termination, Respondents have to prove that he is gainfully employed and Respondents have to bring on record source of income of the Appellant. So filing the documents showing income of the Appellant is not wrong on the part of Respondents. They have to discharge burden lies on their shoulders regarding income of the Appellant.

6) It is true that, Appellant has completed his arguments, but Respondents have yet to submit their arguments in the matter. Though documents are not filed with written statement, it cannot be said that Respondents are very late in filing documents on record. If production of documents is allowed, Appellant will get an opportunity to make submissions on said documents, he can also file documents in support of his case that he is unemployed and has no source of income. Thus, in my view documents of which production is prayed

for are necessary for deciding the case. Thus, application deserves to be allowed. Accordingly, following order.

ORDER

1. Application is allowed.
2. Respondent Nos.1 & 2 are permitted to file documents on record.

Date:- 09/02/2026.

Place:- Pune.

(D.R. Dande)
Presiding Officer,
School Tribunal, Pune.