

ORDER BELOW EXH. 32 IN C.P. No. 03/2019
Shri Gopichand Janardhan Barsale Vs. Mahatma Phule
Shikshan Sanstha and Others.)

1] This is execution petition filed by petitioner for seeking directions to reinstatement of petitioner.

2] The petitioner filed this execution petition for non-compliance of the judgment and order delivered in Appeal No. 02/2015 passed by this Tribunal on dated 14.02.2018. Hence, prayed for reinstatement and back wages.

3] It is submitted by the petitioner to appoint Court Commissioner in the matter for execution of the judgment dated 14.02.2018 passed by this Tribunal in Appeal No.02/2015.

4] Respondent nos.1 and 2 submitted their reply at exhibit-34 and denied all the contentions of the petitioner. It is submitted that, in the instant case, there is no vacancy, one Mr. Vishnu Kokate has been declared surplus and the rest of the employees are senior to the petitioner at Boranjani school. Hence, prayed to reject the application.

4] In execution, a decree is enforced and includes all process and proceeding in aid of or supplemental to execution. Carrying out some act or course of conduct to its completion is execution.

And petitioner was to resume the service in front of the officer or with the help of the officer; he may adopt any kind to execute the order. Hence, I do not have hesitation to allow this application by way of appointing Court Commissioner to execute the order. Further, I pass following order:-

ORDER

1.	Application is hereby allowed.
2.	Advocate Shri Sandeep Sonwane is hereby appointed as a Court Commissioner with directions to remain present personally in the school viz. Mahatma Phule Vidyalaya, Boranjni Taluka Ghansawangi Dist. Jalna, when the appellant would go to resume the duties, in the light of Judgment and order dated 14.02.2018 passed in Appeal No.02/2015.
3.	Court Commissioner is at liberty to set the time and date and communicate it to the appellant.
4.	Court Commissioner is hereby directed to prepare a report of reinstatement and accordingly submit the said report within eight weeks.
5.	Petitioner is hereby directed to pay fees of Rs.2000/- as a honorarium to the Court Commissioner.

Date:-03.12.2025

(Smt. S.D. Kankanwadi)
Presiding Officer
School Tribunal, Aurangabad.

Certificate

I affirm that, the contents of this P.D.F file & order are same, word to word as per the original Judgment.

Name of the Stenographer : S.H.Kulkarni.

Court : Smt. S.D.Kankanwadi,
Presiding Officer, School
Tribunal, Aurangabad.

Date of Order : 03.12.2025

Order signed by the P.O. : 03.12.2025

Order made PDF on : 03.12.2025