

R.M. AMBERKAR  
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1730 OF 2023

Rayat Shikshan Sanstha & Anr.

.. Petitioners

**Versus**

Ramesh Ramchandra Arane & Ors.

.. Respondents

- .....
- Mr. N.V. Bandiwadekar, Senior Advocate i/by Mr. Milind Deshmukh for Petitioners
  - Mr. P.P. Pujari, AGP for the State
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : FEBRUARY 21, 2023**

**P.C.:**

- 1.** Heard Mr. Bandiwadekar, learned Advocate for Petitioners and Mr. Pujari, learned AGP for State.
- 2.** The present Writ Petition takes exception to the order dated 06.05.2022 passed by the School Tribunal which sets aside the order of termination dated 29.01.2021 in respect of Respondent No. 1 who was serving as headmaster of the residential Ashram School of the Petitioners.
- 3.** At the outset, Mr. Bandiwadekar, learned Senior Advocate appearing for Petitioners has drawn my attention to page 92 of the Writ Petition which lists the three charges against Respondent No. 1 in respect of which departmental enquiry was held and he was terminated on 29.01.2021.

**4.** I have read the charges and *prima facie*, the same are extremely serious.

**5.** Learned Tribunal has passed a detailed judgment exonerating Respondent No. 1 of all charges which undoubtedly will require examination and consideration by this Court. Considering the seriousness and gravity of the charges, which I would not like to reproduce here giving reasons therefor, it is directed that the impugned order dated 06.05.2022 shall stand stayed.

**6.** Mr. Bandiwadekar would submit that in the meanwhile, pursuant to the impugned order, Respondent No. 1 has taken out contempt proceedings. It is directed that all proceedings pursuant to the impugned order and as a consequence thereof are hereby expressly stayed. Until the present Writ Petition is heard at least for admission, there cannot be any reinstatement of Respondent No. 1 considering the alleged charges against him.

**7.** Issue notice to the Respondents. Humdast permitted.

**8.** In addition to Court's notice, Petitioners are directed to serve the Respondents and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

**9.** After receiving the notice, Respondents to file affidavit-in-

reply within four weeks. Rejoinder if any shall be filed within two weeks thereafter.

**10.** Stand over to **18<sup>th</sup> April, 2023.**

[ MILIND N. JADHAV, J. ]

Digitally  
signed by  
RAVINDRA  
MOHAN  
AMBERKAR  
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