



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

934 WRIT PETITION NO. 6236 OF 2024

The President Gramin Shikshan Prasarak Mandal
Walandi And Another

VERSUS

The Education Officer Secondary And Others

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Advocate for the Petitioner : Mr. V.B. Jadhav
AGP for Respondents : Mr. A.V. Lavte

CORAM : S. G. CHAPALGAONKAR, J.

Dated : June 26, 2024

PER COURT :-

1. Heard Mr. Jadhav, learned advocate appearing for the petitioners and learned AGP appearing for respondent nos.1 and 2.

2. Mr. Jadhav submits that in appeal instituted by respondent no.3 under section 9 of the MEPS Act vide appeal no.23 of 2023, specific finding has been arrived by the Tribunal that there is no termination. Once such a finding is arrived, school Tribunal loses its jurisdiction to entertain appeal. The Tribunal has also observed that respondent no.3 is in service, however, in operative part directs the petitioner to continue services of Respondent no.3 as per his joining during pendency of appeal. He would submit that such directions are erroneous and inconsistent with findings recorded by the Tribunal.

3. Considering the submissions advanced, issue notice to the respondents, returnable on 7.8.2024. Learned AGP waives notice for respondent no.1 and 2.

(S. G. CHAPALGAONKAR, J.)

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aaa/-