

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3006 OF 2026

SHAHBABU EDUCATION SOCIETY, AKOLA THR. ITS SECY., SYED
ISHAQUE SYED NABI AND ANOTHER

VERSUS

JAVED KHAN SULEMAN KHAN AND ANOTHER

<i>Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders</i>	<i>Court's or Judge's orders</i>
--	----------------------------------

Mr. C.S. Kaptan, Senior Advocate i/b Mr. P.A. Kadu,
Advocate for Petitioners.

Mr. S.M. Vaishnav, Advocate for Caveator/Respondent No.1.
Ms. S.V. Kolhe, AGP for Respondent No.2-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 15th APRIL 2026

1. Heard learned Senior Advocate for the petitioners.
2. The petitioners' challenge is to the judgment and order dated 27.02.2026, passed by School Tribunal, Amravati, directing reinstatement along with 50% back wages to respondent No.1-employee.
3. By inviting attention to the charges framed in the inquiry against respondent No.1-employee, learned Senior Advocate for the petitioners submits that respondent No.1-employee, who was appointed as a teacher, has indulged in certain obscene acts amounting to moral turpitude and by several communications, he has also accepted his indulgence in those acts and has tendered apology. It is submitted that these communications and admissions are wrongly labelled as communications issued under coercion and the Tribunal has wrongly ignored the findings of the inquiry. By pointing out the

gravity of allegations, it is submitted that reinstating respondent No.1-employee as teacher will seriously affect the working of the school and therefore, interim relief is pressed.

4. Having regard to the controversy involved, issue notice to the respondents, returnable on 29th April 2026.

5. Advocate Mr. S.M. Vaishnav, appears on caveat and waives service of notice on behalf of respondent No.1.

6. Learned AGP waives service of notice on behalf of respondent No.2-State.

7. In the meantime, there shall be ad-interim relief in terms of prayer clause 'iii', which is reproduced as under.

“iii. Stay the effect, operation and execution of the judgment and order dated 27.02.2026, passed in Appeal No.02 of 2023, by Presiding Officer, School Tribunal, Amravati during the pendency of present petition.”

(PRAFULLA S. KHUBALKAR, J.)

asd