

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

WRIT PETITION NO. 3363 OF 2002

WITH

CA/2021/2004 IN WP/3363/2002

WITH

CA/7519/2005 IN WP/3363/2002

WITH

CA/2723/2008 IN WP/3363/2002

SURESH HARIBHAU CHATE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

WITH

WP/3051/2003

ARUN KASHINATH KHAIRNAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

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Mr. B.S.Shinde h/f Mr. V.P.Latange advocate for petitioner in WP
No.3363/2002

AGP for Respondents: Mr. S.R.Palnitkar

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CORAM : A.V. NIRGUDE & V.K. JADHAV, JJ.

Dated: January 9, 2015.

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PER COURT :-

1. These two petitions can be disposed of by this common order.

2. The petitioners were working as Assistant Controller of Legal Metrology. They were deputed by the State of Maharashtra to the post of Registrar of District Consumer Dispute Rederessal Forum. The petitioner challenged such deputation/transfer on the ground that their post which they held as Assistant Controller of Legal Metrology is not equivalent to Registrar of District Consumer Disputes Rederessal Forum.

Similarly placed persons also challenged their deputation/transfer before this Court at Nagpur Bench and upon hearing to the petition on merits (Writ Petition No.3840/2006), the Court held that, action on the part of the State was not illegal and transfer/deputation was upheld. We are told that judgment of this Court was challenged before this Court, but in vain. The petitioners have no case.

3. In addition to this, learned counsel for the petitioner informed us that, during the pendency of these petitions, the Government took a decision not to depute persons from Legal Metrology Department to Food and Civil supply Department. In view of this decision, the petitioners were sent back to Legal Metrology Department. With the result, there is practically no reason to decide these petitions on merits. Writ Petitions stand disposed of as infructuous.

4. In view of disposal of writ petitions, pending civil applications do not survive for consideration and stand disposed of accordingly.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

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