

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1237 OF 2015

Shri Chandrakant Gopikishan Dayama. .. Petitioner

Vs

The State of Maharashtra. .. Respondent

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Dr. Ramdas P. Sabban along with Shri Vijay Pandey for the Petitioner.
Shri A.B. Vagyan, Government Pleader along with Mrs. M.P. Thakur,
AGP for the State.

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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 26TH JUNE 2015

PC.

1. The learned Government Pleader on instructions of Shri Sunil Porwal, the Secretary of Textile Department of the Government of Maharashtra, who is personally present in the Court, states that in view of the law laid down by the Apex Court in the case of B.P. Singhal v. Union of India and Another, [(2010)6 SCC 331] as well as the law laid down by this Court in the judgment and order dated 8th May 2015 in Writ Petition No.326 of 2015 (*Mr. Jeevanrao Vishwanathrao Gore v. State of Maharashtra and Others*) and other connected matters, the State Government has decided to withdraw the impugned order dated 17th December 2014 by which the Petitioner was ordered to be removed from the post of the Chairman of the Maharashtra State Power-Loom Corporation. He states that as a consequence of the withdrawal of the impugned order dated 17th December 2014, even the subsequent order

dated 13th May 2015 by which one Shri Ravikant Chandradas Tupkar was appointed as the Chairman of the Maharashtra State Power-Loom Corporation shall be withdrawn. He submits that the State Government may be granted liberty to take action in accordance with the law laid down by the Apex Court as well as by this Court.

2. We accept the statements made on instructions by the learned Government Pleader. As the impugned order as well as the order dated 13th May 2015 stand withdrawn, nothing survives in this Petition and the same is disposed of. We, however, make it clear that this order will not preclude the State Government from taking action of removal of the Petitioner from the same post in accordance with law. The learned Government Pleader assures the Court that if any new appointment is made, the same shall be made in accordance with law. We make it clear that no adjudication has been made on the merits of the contentions raised by the Petitioner as well as the State of Maharashtra.

(REVATI MOHITE DERE, J)

(A.S. OKA, J)