

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2820 OF 2015

Shri Devanand Shravan Adkmol

.. Petitioner

Vs.

The Principal Chief Conservator of
Forest, M.S.& Ors.

.. Respondents

Mr.Nitin P. Dalvi for petitioner.

Ms.S.S.Bhende, AGP for State.

CORAM : ANOOP V. MOHTA,

K.R.SHRIRAM, JJ.

DATE : 19TH MARCH, 2015

P.C.

1 Rule returnable forthwith. Heard finally.

2 This petition is filed impugning the order passed by the Single Judge of the Maharashtra Administrative Tribunal and one of the preliminary ground raised is the order of dismissing the plaintiff's application has been passed by a Single Judge whereas the assignment of hearing the matter was of the Division Bench of the Maharashtra Administrative Tribunal.

3 After considering the petition and the impugned order, it is noted that an application filed in the Maharashtra Administrative Tribunal thereby challenge is to show cause notice dated 31st January 2015, threatening to

terminate the services of the petitioner, if no reply is filed within three days. The Tribunal has observed that the application of the petitioner is premature as challenge is to the show cause notice only.

3 Without going into the issue as to whether the impugned order was correctly passed by the Single Judge or not, we are disposing of this petition by granting a liberty to the petitioner to file reply to the show cause notice within one week from today. However, to avoid further complications in the matter, no coercive steps be taken against the petitioner for non-filing reply within three days so stated until one week. Respondents to consider the reply on its own merits being uninfluenced by the observations even if made. However, all points are kept open.

4 The rule/petition is disposed of accordingly. No costs.

(K.R. SHRIRAM, J.)

(ANOOP V MOHTA, J.)