

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION O. NO.360/2014
IN
MISC. CIVIL APPLICATION ST. NO.2935/2014
IN
WRIT PETITION NO.2475/2010 (D)

Sheikh Shehzad Ahmad s/o Sheikh Wazier

...Versus...

The State of Maharashtra, through its Secretary, Department of School Education,
Mantralaya, Mumbai – 32 and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Komal Bajaj, Advocate for applicant
Shri H.D. Dubey, AGP for respondent no.1
Shri M.V. Bute, Advocate for respondent no.2

CORAM : ANOOP V. MOHTA AND
A.R. JOSHI, JJ.

DATE : 05.01.2015

This application is taken out by the petitioner as he has lost his job pursuant to the order passed by the respondent. By this application, the petitioner has challenged the action so mentioned.

Considering the averments made in the application and as a person who has lost his job would not like to get the writ petition dismissed in such a fashion, there is no question of intention and *mala fide* action to get the matter dismissed in default.

Considering the averments so made and for lack of communications and also for the defaults of others, we are inclined to observe that the petitioner should not be suffered such injustice. Therefore, in the interest of justice and as the case is made out and so also there is a sufficient cause made out, the present application is allowed. However, this will be subject to costs of Rs.2,000/- (Rupees Two Thousand Only) to be paid within a period of two weeks.

Civil Application stands disposed of.

MISC. CIVIL APPLICATION ST. NO.2935/2014

For the reasons mentioned in the order in Civil Application No.360/2014, we are inclined to restore the writ petition. Hence, misc. civil application is allowed. The writ petition is restored to file. Place the petition for admission after two weeks.

Misc. Civil Application stands disposed of.

(A.R. Joshi, J.)

(Anoop V. Mohta, J.)

Wadkar