

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 4547 /2015

(Smt. Urmila w/o Vijay Bhalavi vs. The State of Maharashtra and
others)

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

Court's or Judge's order

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Mr. Chougule, Adv.h/for Mr. S.D. Harode, Advocate for the petitioner
Ms.T.Khan, Asst. Govt. Pleader for respondent no.1

**CORAM : SMT. VASANTI A. NAIK &
A.I.S.CHEEMA, JJ.**

DATED : 2nd September, 2015.

Heard.

The learned counsel Mr. Rohit Chougule seeks an adjournment of the matter at the behest of Mr. S.D. Harode, the learned counsel for the petitioner. We decline to grant the same, as the Writ Petition is not maintainable at the Nagpur Bench.

A preliminary objection is raised by the learned Assistant Government Pleader in regard to the tenability of the Writ Petition at the Nagpur Bench.

We find that the Maharashtra Administrative Tribunal, Bench at Aurangabad had decided the Original Application filed by the petitioner and had held that there was no infirmity in the order of the respondent no.2 in terminating the services of the petitioner after the invalidation of the tribe claim. We find from the order dated 11.10.2002 that is

impugned in this petition, that the petitioner was appointed by the respondent no.2- the Director of Employees State Insurance Scheme, Mumbai in the Hospital at Aurangabad. The petitioner was working at Aurangabad when the services of the petitioner were terminated. The petitioner is seeking a direction to the respondent no.2 to protect the services of the petitioner. Since the office of the respondent no.2- Director is situated at Mumbai and since the petitioner was working at the relevant time at Aurangabad, the Writ Petition would not lie in the Nagpur Bench of the Bombay High Court. We decline to entertain the Writ Petition in the circumstances of the case and grant liberty to the petitioner to challenge the order before the appropriate Bench.

The Writ Petition stands disposed of with no order as to costs.

JUDGE

JUDGE