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

WRIT PETITION NO. 6036/2014
(ARCHANA DEVIDAS DHORE **VERSUS** STATE OF MAHARASHTRA & OTHERS)

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

Shri S.G. Joshi, counsel for the petitioner.
Shri S.M. Ghodeswar, A.G.P. for the R-1.
Shri J.B. Kasat, counsel for the R-2.

CORAM : SMT. VASANTI A. NAIK AND A.M. BADAR, JJ.

DATE : APRIL 29, 2015.

Heard.

The learned counsel for the petitioner states that the facts and the issues involved in this petition were also involved in Writ Petition No.4226 of 2014 and this Court has, by the judgment dated 26.03.2015, protected the services of the petitioner in the said writ petition by partly allowing the writ petition. It is stated that since the facts involved in this case and the decided case are similar, this Court may pass a similar order in this writ petition also.

Shri Ghodeswar, the learned Assistant Government for the respondent no.1 and Shri Kasat, the learned counsel for the respondent no.2, on a perusal of the judgment dated 26.03.2015 in Writ Petition No.4226 of 2014 and the facts involved in this writ petition, admit that the facts involved in both the cases are similar.

Hence, in view of the aforesaid, for the reasons recorded in the judgment dated 26.03.2015 in Writ Petition no.4226 of 2014, we partly allow this writ petition. Since the petitioner is still in service and the services of the petitioner are not yet terminated, we protect the services of the petitioner by quashing and setting aside the impugned notice dated 07.06.2014

on the condition that the petitioner furnishes an undertaking in this Court and before the respondent no.3-Employer that neither the petitioner nor her progeny would claim the benefits meant for Mahadeo Koli scheduled tribe, in future, within a period of fifteen days.

Order accordingly. No costs.

JUDGE **JUDGE**

APTE