

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

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

Court's or Judge's orders

WRIT PETITION NO.6558 OF 2016
WITH
CIVIL APPLICATION St.NO.24403 OF 2016

MANOJ ARJUN CHOUDHARI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :Mr.A.B. Chalak
h/f Mr.Talekar S.B.

AGP for Respondents/State:Mr.A.G.Magre.

Advocate for R.Nos.4 and 5: Mr.R.S.
Pawar.

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CORAM: S.S. SHINDE & SANGITRAO S. PATIL, JJ.

Dated: AUGUST 08, 2016

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Not on Board. On mentioning, taken
on Board. The learned Counsel appearing
for the respondent – Zilla Parishad has
no objection to dispose of this petition.

2. The learned Counsel for the
petitioner has tendered across the Bar
the copy of the civil application for
amendment of the petition. Along with
the civil application, the copy of the
order dated 21st July, 2016 issued by the
respondent – Zilla Parishad terminating

the services of the petitioner has been placed on record.

3. The learned Counsel for the petitioner submits that the petitioner may be allowed to amend the petition so as to challenge the order of termination. The order of termination can be assailed before the competent forum and, therefore, we are not inclined to entertain the application filed in this petition. However, we allow the petitioner to place on record the copy of the order of termination, which has been annexed with the civil application.

4. The learned Counsel for the petitioner submits that so as to enable the petitioner to approach the Labour Court, the effect, implementation and execution of the order of termination dated 21st July, 2016 may be stayed.

5. The learned Counsel for the respondent – Zilla Parishad, on instructions, submits that the order of termination has already been executed.

6. So as to enable the petitioner to approach the Labour Court, we direct the

respondents to maintain status quo as to the post held by the petitioner, as available on today, for further three weeks from today.

7. In that view of the matter, the civil application as also the writ petition stand disposed of with liberty to the petitioner to take exception to the order of termination before the Labour Court.

(SANGITRAO S. PATIL, J) (S.S. SHINDE, J)