

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 10475 OF 2016
IN
WRIT PETITION NO. 359 OF 2016.**

M/s. V.M. Matere Infrastructures India Pvt. Ltd.
Vs.
The State of Maharashtra and others.
. . .

Mr. Mukul S. Kulkarni, Advocate for the applicant.
Miss S.S. Raut, AGP for respondent No.1.
Mr. D.P. Bakshi, Advocate for respondent No.5.

**CORAM : S.V. GANGAPURWALA,
& K.K. SONAWANE,JJ.**

DATE : 18TH NOVEMBER, 2016.

PER COURT:

According to Mr. Kulkarni, learned counsel, this Court under order dated 11th April, 2016, had directed the respondent No.2 i.e. Member Secretary (Technical) to pass appropriate orders on the application filed by the petitioner dated 9.7.2015 on its own merits. Learned counsel submits that, in fact, the post of Member Secretary (Technical) now does not exist and is replaced by Special Executive Officer and Member (Technical). As such, in the order dated 11th April, 2016 and as modified vide order dated 15.6.2016, the said application be directed to be decided by the Special Executive Officer and Member (Technical).

2] Mr. Bakshi, learned counsel submits that the application can be decided by the Member Secretary, who is also an IAS Officer.

3] It appears that the matter is of a technical nature. Under the Government Resolution dated 11th August, 2016 and more particularly, clause (4) thereof, the post of Member Secretary (Technical) is replaced by Special Executive Officer and Member (Technical).

4] In view of the above, the orders dated 11th April, 2016 and 15.6.2016 are modified to the extent that the application of the petitioner dated 9.7.2015, shall be decided by Special Executive Officer and Member (Technical), as stated in the Government Resolution dated 11th August, 2016 (page 14). The said application be decided within a period of 6 months from today.

5] Civil application is accordingly disposed of. No costs.

[K.K. SONAWANE]
JUDGE.

[S.V. GANGAPURWALA]
JUDGE

grt/-