

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4229 OF 2015

Inamdar Ayub Babasaheb
Versus
State of Maharashtra & Ors.

..Petitioner

..Respondents

Mr. S.B.Deshmukh with Mr. R. Deshmukh, Advocates for the
Petitioner.
Mrs. M.P.Thakur , AGP for the State.

**Coram : SHANTANU KEMKAR &
RANJIT MORE, JJ.**

Date : 6th May, 2016.

P. C. :

Heard learned counsel appearing for the respective parties.

2 The grievance of the Petitioner is that in the appeal filed at the instance of sixth Respondent observations in regard to the Petitioner's appointment being illegal have been made. The learned counsel for the Petitioner submits that the Petitioner's appeal is still pending (Exhibit 'O') before the appellate authority and in the circumstances, pending his appeal, while deciding the appeal filed by the Respondent No.6, no such observations could be made which will affect Petitioner's grounds raised in his appeal.

3 In the circumstances, we dispose of this Petition by directing the appellate authority to consider and decide Petitioner's appeal (Exhibit 'O') uninfluenced by the observations made by it in order passed in the appeal filed by the respondent no.6.

4 All points and contentions are left open for the Petitioner to argue in his appeal.

5 The Respondent-Appellate Authority shall decide the Petitioner's appeal (Exhibit 'O') on its own merits within a period of eight weeks from the date of receipt of the copy of this order.

C.C. as per Rules.

[RANJIT MORE, J.]

[SHANTANU KEMKAR, J.]