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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION No. 349 OF 2015
IN
WRIT PETITION No. 531 OF 2013***

Dattatray Shankar Salunkhe

....Applicant/ Org. Petitioner

Vs.

***The Chairman and Managing Director
Maharashtra State Electricity Transmission
and Ors.***

....Respondents

Mr. S.D. Paithane for the Applicant /Petitioner

Mr. A.A. Alaspurkar for Respondent Nos.1 to 3

***CORAM : V. M. KANADE &
M.S. SONAK, JJ.***

DATE : JUNE 29, 2016

P.C. :

1. Heard the learned counsel appearing on behalf of the Applicant and the learned counsel appearing on behalf of Respondents Nos. 1 to 3.
2. The Applicant has filed this application seeking leave to amend the petition, challenging the constitutional validity of Regulation 40 and 43 (iii) of MSEB Employees' Service Regulations, 2012.
3. The learned counsel for Respondents Nos. 1 to 3 has vehemently opposed this application, seeking leave to amend the petition.

4. In our view, it is always open for the Applicant/ Petitioner to challenge the validity of regulation even during the pendency of the petition, by way of amendment. Hence, civil application is allowed in terms of prayer clause (a) and disposed of. The Respondents are at liberty to file their reply. Amendment to be carried out within two weeks. Rejoinder, if any, to be filed within two weeks thereafter.

M.S. SONAK, J.

V.M. KANADE, J.