

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST.) NO.21783 OF 2016
WITH
WRIT PETITION NO.7473 OF 2016
WITH
WRIT PETITION NO.7911 OF 2016
WITH
WRIT PETITION NO.10547 OF 2016

Dr. A.C. Bhavsar and Others ...Petitioners
vs.
The State of Maharashtra and Others ...Respondents

Mr. S.S. Kulkarni, for the Petitioner in WP (St.) No. 21783 of 2016.
Mr. Mihir Desai, Senior Advocate a/w. Ms. Devyani Kulkarni, for the
Petitioners in WP Nos. 7343, 7911 and 10547 of 2016.
Mr. Vikas Mali, AGP for the Respondent-State.

CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.

DATE : **OCTOBER 25, 2016**

P.C.:

. Parties through their counsel.

2. The learned counsel for the Petitioners have placed
reliance on the order dated 21st November, 2013 passed by the
Division Bench of this Court at Aurangabad in Writ Petition No. 10283
of 2012 in the case of *“Sudamrao Keshawrao Aher and Others vs. The*

State of Maharashtra and Others” to contend that the question involved in the present Petitions has already been considered and decided by the Division Bench. He submits that the said order on being challenged by the State Government before the Supreme Court, the Supreme Court had dismissed the S.L.P filed by the State and as such the matter has been concluded in favour of the Petitioners.

3. The learned AGP has filed reply on behalf of the State. Having gone through the said reply, we find that even the State Government is not disputing the identical issue has already been decided and the matter has attained finality as the Supreme Court has also dismissed the S.L.P. and also the prayer for modification prayed by the State before the Supreme Court.

4. In the circumstances, since the matter has already been decided in favour of the Petitioners, the present Petitions also deserves to be disposed of in terms of the order dated 21st November, 2013 passed by the Division Bench of this Court at Aurangabad in Writ Petition No. 10283 of 2012. In the circumstances, for the reasons stated in the said order passed in Writ Petition No. 10283 of 2012, the

Petitions also stand allowed to the extent indicated therein.

5. The Petitions stand disposed of as such.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)