

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No.11475 OF 2015

Manoj Pandurang Wadkar.

...Petitioner

Vs.

1.State of Maharashtra & Ors.

...Respondents

Mr.R.K.Mendadkar, for the Petitioner.

Mr.VN.Sagare, AGP for the State-Respondent nos.1 to 3.

CORAM : ANOOP V. MOHTA &
G.S. KULKARNI, JJ.

DATE : 29th JANUARY, 2016.

ORDER:

1. The petitioner has challenged order dated 21st April,2015 passed by the learned Members of the Maharashtra Administrative Tribunal thereby the order of termination of service for want of caste certificate, is upheld, as the certificate was invalidated.

2. Learned Counsel for the Petitioner has referred to the Full Bench judgment of this Court in the case “Arun S/o. Vishwanath Sonone Vs. State of Maharashtra & Ors” reported in “2015(1)Mh.L.J. 457” dated 22nd December,2014. That was prior to impugned order dated 21st April,2015. Therefore, in the interest of justice, the complaint and/or grounds of the petitioner, if any, based upon this judgment, we are

permitting to agitate before the Maharashtra Administrative Tribunal, as admittedly, the Full Bench Judgment was not pointed out and/or referred by the learned Tribunal while rejecting the Original Application filed by the Petitioner.

3. Therefore, in the interest of justice to give one more chance, liberty is granted to the petitioner to file appropriate proceedings before the Maharashtra Administrative Tribunal against the impugned order. Learned Tribunal to consider the same in accordance with law. The present petition is disposed of in view of the observations so made as aforesaid. All contentions of the parties are expressly kept open. No costs.

(G.S.KULKARNI, J.)

(ANOOP V. MOHTA, J.)