

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 3141 OF 2016  
IN  
WRIT PETITION NO. 10862 OF 2013**

Captain Dwarakesh C

.. Petitioner

versus

Union of India &amp; Ors.

.. Respondents

Mr. Chetan Mali i/b. Mr. Vijay Hiremath for Petitioner.

Mrs. S. V. Bharucha with Mr. Dhanesh Shah for Respondent Nos. 1 to 3.

Mr. M. M. Pabale – AGP for State.

**CORAM: DR. MANJULA CHELLUR, C. J. AND  
M. S. SONAK, J.****DATE : 22 DECEMBER 2016****P.C.:**

- 1] Civil Application is allowed. Writ petition is restored to file.
- 2] Since the petitioner is continued in service in spite of dismissal of the writ petition, we direct respondent nos. 1 to 3 not to remove, terminate or discharge the petitioner from service till further orders.
- 3] List the writ petition for hearing on 24<sup>th</sup> January 2017.

**CHIEF JUSTICE****(M. S. SONAK, J.)**