

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

WRIT PETITION NO. 1421 OF 2012

DR NARSINGH SARVOTTAMRAO PAITHANKAR  
VERSUS  
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for the Petitioner : Shri Choudhari Yuvraj S.  
AGP for Respondent 1/ State : Shri B.A.Shinde.  
Advocate for Respondent 2 : Shri K.N.Lokhande.

...

**CORAM: RAVINDRA V. GHUGE  
AND  
SUNIL K. KOTWAL, JJ.**

**DATE :- 28<sup>th</sup> November, 2017**

**Per Court :**

1 We have briefly heard the learned Advocates for the Petitioner and Respondent No.2 and the learned AGP on behalf of Respondent No.1/ State.

2 The contentious issues raised in this petition are as to whether, the Petitioner was appointed in Class-II or Class-III category, whether, the Petitioner is entitled to salary or scale of Class-II and is being unjustly paid salary of Class-III employee and now that the Petitioner is promoted as Class-I employee and is still being paid salary of Class-III employee.

3 We are informed that some representations are pending

before Respondent No.2 and same have still not been dealt with. We find that the contentious issues as noted above could be dealt with by Respondent No.2/ Corporation by considering the representations and by passing a reasoned order.

4           The learned Advocate for the Petitioner submits that this Writ Petition itself may be treated by Respondent No.2/ Corporation as being the representation of the Petitioner.

5           The learned Advocate for Respondent No.2 submits that it would be appropriate for the Petitioner to submit a representation in Marathi so as to enable the Corporation to consider it and pass a reasoned order.

6           The learned Advocate for the Petitioner submits that he is willing to file such a representation in Marathi within two weeks from today and prays for expeditious decision on the said representation.

7           Considering the above, this Writ Petition is disposed of with liberty to the Petitioner to raise all grounds including those raised in this petition and submit a fresh representation in Marathi to Respondent No.2/ Corporation within TWO WEEKS from today.

8           Needless to state, Respondent No.2/ Corporation, upon receiving the representation as above, shall decide the same within EIGHT WEEKS thereafter and pass a reasoned order in support of its conclusions. A copy of the order shall be served on the Petitioner expeditiously. If need

be, Respondent No.2 may even cause a personal hearing so as to enable the Petitioner to put forth his case personally.

9           We make it clear that we have not expressed any opinion on the merits of the claim of the Petitioner.

kps

**(SUNIL K. KOTWAL, J.)**

**(RAVINDRA V. GHUGE, J.)**