

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

WRIT PETITION NO. 6705 OF 2015

Raghunath Vishvanath Thete .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri M. M. Bhokarikar, Advocate for the Petitioner.

Ms. Vaishali N. Patil, A.G.P. for the Respondent No. 1.

The Respondent Nos. 2 and 4 are served.

Shri M. K. Goyanka, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 21ST FEBRUARY, 2017.

PER COURT :

. We have heard Mr. Bhokarikar, the learned counsel for the petitioner and the learned counsel for the respondent No. 3.

2. The learned Single Judge of this Court in Writ Petition No. 8099 of 2010 on 28.02.2012 has passed following order.

" . Heard Mr. Bhokarikar and Mr. Goyanka for the respective parties.

2. Mr. Goyanka, on instructions of M.S.R.T.C. informs that fresh appointment can be given to the petitioner - Raghunath, after his medical check-up/examination and suitability to the available post in M.S.R.T.C., as would be suggested by the competent Medical Board.

3. Accepting the above position, writ petition disposed of. No costs.

4. Copy of this order, duly authenticated by the Court Sheristedar of this Court be provided to learned Counsel for the parties to act upon."

3. The petitioner now claims that his earlier services be considered for the purpose of service benefits. The learned counsel relies on the provisions of the Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

4. We could have considered the said provisions in favour of the petitioner, but for the order passed by the learned Single Judge of this Court referred to supra, we are not inclined to entertain the writ petition.

5. The learned counsel on instructions states that, he may file necessary application for review/clarification in the Writ Petition No. 8099 of 2010.

6. In view of that, we dispose of the writ petition. In case some further orders are passed, the petitioner will be entitled to prosecute his grievance. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 17