

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

960 WRIT PETITION NO. 5124 OF 2006

THE STATE OF MAHARASHTRA & ORS
VERSUS
ABHAY DADAJI HATEKAR

Shri. A.S. Shinde, Advocate, for petitioners.

**Coram: T.V. NALAWADE &
SANGITRAO S PATIL, JJ.**

Date: 22 June 2017.

ORDER:

1) The learned Assistant Government Pleader is heard. Nobody turned up for the respondent.

2) The decision given by the Maharashtra Administrative Tribunal in Original Application No.1018 of 2004 is under challenge. The respondent was protected by the order of the Tribunal and it was declared that present respondent was to be continued, he was not be displaced by fresh or ad-hoc appointee. Thus there was scope for appointment of regular incumbent as per the procedure given for recruitment.

3) The learned Assistant Government Pleader submitted that the respondent was relieved in the year 2008 as he was appointed in other establishment and he joined the Grants Medical College, Mumbai. The AGP submitted that this post was filled by giving promotion to in-service employee. In view of this submission, the petition is disposed of. Rule is discharged.

Sd/-
(SANGITRAO S PATIL, J.)

Sd/-
(T.V. NALAWADE, J.)

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