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

WRIT PETITION NO.279 OF 2004

Shamrao s/o Manikrao Mohite ... PETITIONER

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri A.S. Kale, Advocate holding for
Shri S.B. Talekar, Advocate for petitioner
Shri S.B. Joshi, A.G.P. for State
.....

CORAM: R.D. DHANUKA AND
SUNIL K. KOTWAL, JJ.

DATED: 29th August, 2017.

ORAL ORDER

1. By filing this petition, the petitioner seeks a writ of certiorari inter alia praying for quashing and setting aside the order dated 25/11/2003, informing the management that the appointment of the petitioner shall not be approved either on regular basis or temporary basis after 1/5/2003.

2. Learned counsel for the petitioner and the learned A.G.P. appearing for the State of Maharashtra invited our attention to the order dated 9/12/2005, issued by the Commissioner of Tribal Development, Maharashtra State, Nasik,

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granting the reliefs as prayed for by the petitioner in this Writ Petition. Mr. Kale, learned counsel for the petitioner states that, in view of the order dated 9/12/2005, passed by the respondents, nothing survives in this petition. He, however, submits that, if the consequential benefits of this order are not given to the petitioner, the petitioner may be granted liberty to apply for appropriate relief by filing Civil Application for modification of this order. The statement is accepted.

3. Writ Petition No.279/2004 is dismissed as infructuous, with liberty granted to the petitioner to file Civil Application for appropriate relief if all the reliefs claimed in this petition are not granted by virtue of the order dated 9/12/2005, passed by the Commissioner of Tribal Welfare. Rule is discharged. No order as to costs.

(SUNIL K. KOTWAL)
JUDGE

(R.D. DHANUKA)
JUDGE

fmp/