

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

WRIT PETITION NO. 6054 OF 2005

Sadashiv Lingram Haridas
and another

.. Petitioners

Versus

The Cabinet Secretary Govt. of
India New Delhi and others

.. Respondents

Shri Kale, Advocate h/f Shri S. B. Talekar, Advocates for
Petitioners.

Mrs. A. V. Gondhalekar, Addl.G.P. for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 10TH AUGUST, 2017.

PER COURT :

. The learned counsel for petitioners submits that, the academic issue is required to be decided in the present matter that is the regulation providing for unequal treatment for the same post was discriminatory, particularly when the test for such classification was not based on intelligible differentia.

2. Both petitioners have attained age of superannuation. Even, according to petitioners, issue remains academic. As the issue is merely academic, we are not entering into the said question. The said issue can be considered in appropriate

petition. The writ petition accordingly is disposed of. Rule discharged. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Aug. 17