

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11585 OF 2017

Dr. Sonali Bhausahab Sayamber

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri U. R. Aute h/f Talekar and Associates, for the Petitioner.
Shri S. W. Mundhe, A. G. P. for Respondent Nos. 1 to 5.

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

DATE : **28th September, 2017**

PER COURT :

1. The learned counsel for the petitioner submits that, the relieving order issued to the petitioner is ex-facie illegal. The petitioner has assailed the same before the Maharashtra Administrative Tribunal by filing Original Application. The petitioner also made a prayer for interim orders. The prayer for interim relief is rejected, as such, the present writ petition is filed. The learned counsel submits that, the conduct of the respondent in issuing relieving order smacks of malafide, the same is illegal. Before issuing relieving order the petitioner was not given any notice and under threat the petitioner was issued the relieving order. The petitioner has got strong case on merit.

2. We have heard the learned A. G. P.

3. It appears that, now, the matter is kept before the tribunal on 9.10.2017. The tribunal while issuing notice has observed that matter would be decided finally and no separate notice of final disposal is required to be issued.

4. It would not be appropriate to grant the relief of reinstatement at this stage as the tribunal is also seized with the matter. The respondent herein i.e. State shall file its reply positively on 9th October, 2017 before the tribunal and cooperate in early disposal of the Original Application filed by the petitioner. We hope and trust that the tribunal would decide the said proceedings expeditiously as observed in its order while issuing notice itself and preferably within 3 months. However, till the Original Application is decided the post hold by the petitioner shall not be filled in, if not already filled in.

5. The writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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