

Sharayu.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7217 OF 2011

WITH

CIVIL APPLICATION NO. 951 OF 2014

**Najakatali Mahammadsayeed Qureshi ...Petitioners
& Anr.**

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Avinash Belge, i/b Mr. K.J. Phakade, for the
Petitioners.

Mr. N.C. Walimbe, AGP, for the Respondents No. 1 &
2.

Mr. Rajdeep S. Khadapkar, for the Respondent No.
4.

Mr. Amol A. Gatne, for the Respondents No. 5 & 6.

**CORAM : SMT. VASANTI A NAIK AND
RIYAZ I. CHAGLA, JJ.**

DATE : 20 November 2017

ORDER :

Mr. Belge, the learned counsel for the
petitioners seeks the disposal of the writ
petition on the ground that the issue involved in
this case stands covered by the judgment rendered

by this Court in favour of the petitioners.

Mr. Gatne, the learned counsel for the contesting respondents disputes the statement made by the learned counsel for the petitioners. So also, Mr. Khadapkar, the learned counsel for the respondent-University states that the latest judgment and order on which the learned counsel for the petitioners has relied on, was carried to the Hon'ble Supreme Court and the Hon'ble Supreme Court has permitted the parties concerned, to apply for review within 30 days after observing that one of the points involved in the case was not considered.

In view of the aforesaid, we are not inclined to dispose of the matter at the "Orders" stage. The matter should come up for hearing in due course or as and when the parties agree that the issue stands covered by the judgment of this Court.

Since the prayer made in the civil application appears to be the substantive prayer made by the petitioners in the writ petition, the prayer made in the application cannot be granted at the interlocutory stage, specially when rule is issued in the writ petition.

The civil application stands disposed of accordingly.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A NAIK, J.]