

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

WRIT PETITION NO. 11701 OF 2018

Babasaheb Kishanrao Patil and Others

..PETITIONERS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. R.D. Biradar, Advocate for petitioners.

Mr. S.P. Sonpawale, A.G.P. for respondent - State .

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**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.**

DATED : 22nd OCTOBER, 2018

ORDER :

We have heard Mr. Biradar, the learned Counsel for the petitioners. The application for condonation of delay and the original application have been dismissed on the ground that the Maharashtra Administrative Tribunal does not have jurisdiction. The petitioner has challenged the said order and has also sought directions against the respondents to decide the representation and not to recover excess amount from the petitioner.

2. As per the order of the Tribunal, the Tribunal did not have the jurisdiction. Thus, the petitioner would be entitled to assail the action of

the respondents in recovering the amount independently before the appropriate forum. In view of the above, writ petition is dismissed with liberty to the petitioner to assail the action of recovery. No costs.

(R.G. AVACHAT, J.)
SSD

(S.V. GANGAPURWALA, J.)