

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION (ST) NO. 10327 OF 2018****Sanjay Pandurang Bhosale****..... Petitioner****VERSUS****Sou Lata Nanasaheb Javir & Ors.****..... Respondents**

Mr.Vineet B. Naik, Senior Advocate, i/b. Mr.I.M.Khairdi for the Petitioner.

Mr.S.S.Aradhya for the Respondent no.1.

Mr.S.H.Kankal, A.G.P. for the State – Respondent nos. 3 to 5.

CORAM : R.D. DHANUKA, J.

DATE : 5th APRIL, 2018

P.C.

The papers are allowed to be produced at 03.00 p.m.

2. The petitioner has impugned the order dated 21st March,2018 passed by the respondent no.1. Against the said order, the petitioner has also preferred an appeal before the learned Additional Commissioner, Pune which is being placed on board tomorrow at 11.00 a.m. for hearing including the application for stay. The statutory period of 15 days would expire tomorrow.

3. The respondents shall not implement the impugned order dated 12th March,2018 till 9th April, 2018. The petitioner would be at liberty to apply for continuation of the interim protection granted by this court before the Additional Commissioner, Pune in the meeting proposed to be held on 6th April, 2018. The respondents would be at liberty to oppose the application of the petitioner for continuation of the

protection granted by this court. If any adverse order passed by the learned Additional Commissioner in the appeal filed by the petitioner as well as in the application for stay, the same shall not be implemented for a period of three days from the date of communication of such adverse order.

4. The parties shall appear before the learned Commissioner on the appointed day at 11.00 a.m.

5. In the event of the Additional Commissioner not being available on 6th April, 2018 or 9th April, 2018, the petitioner would be at liberty to apply for continuation of the interim protection granted by this court before this court after giving sufficient notice to the respondents' advocates.

6. Writ petition is disposed of in the aforesaid terms. No order as to costs.

7. The parties to act on the authenticated copy of this order.

[R.D. DHANUKA, J.]