

Amk

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

WRIT PETITION NO. 5289 OF 2012

Shri Tamanna Durgaprasad .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

Mrs. Neeta Karnik I/b S. R. Karnik for the Petitioner.
Mr. B. D. Joshi for the Respondent No.3.
Mrs. Rupali M. Shinde, AGP for the Respondent-State.

**CORAM : R. M. SAVANT &
K. K. SONAWANE, JJ.**
DATE : 12th SEPTEMBER, 2018.

P. C.

1. By an interim order dated 03.03.2017 passed by this Court (Coram : S. C. Dharmadhikari and B. P. Colabawalla, JJ.) in the above Petition the Director of the Municipal Administration (DMA), Government of Maharashtra was directed to consider the Petitioner's representation for the grant of the benefits of the 5th and 6th Pay Commissions. We are informed that the DMA has by giving opportunity to the parties passed an order dated 20.11.2017 rejecting the claim of the Petitioner to the benefits of the 5th and 6th Pay Commissions. The said order passed by the DMA has, therefore, transcended the reliefs sought in the above Writ Petition.

2. In view of the said supervening event, it is now necessary for the

Petitioner to challenge the said order dated 20.11.2017 passed by the DMA. The above Petition in the light of the said order would not survive and the same is, accordingly, disposed of with liberty to the Petitioner to challenge the said order dated 20.11.2017.

3. Needless to state, if any such challenge is raised, the same would be considered on its own merits and in accordance with law.

[K. K. SONAWANE, J.]

[R. M. SAVANT, J.]

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2018.09.14
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