

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

WRIT PETITION (STAMP) NO. 35695 OF 2017

The State of Maharashtra & Ors. ...Petitioners
Versus
Satish Madhukarrao Chikhalikar ...Respondent

Mr. C. P. Yadav – AGP for the Petitioners – State.
Ms Vaidehi Deshmukh i/b. Mr. Rajesh Togrikar for Respondent.

**CORAM : SMT. V. K. TAHILRAMANI, Acting C.J. &
M. S. SONAK, J.**

Date of Reserving the Judgment : 12 July 2018
Date of Pronouncing the Judgment : 17 July 2018

JUDGMENT :

- 1] Heard the learned counsel for the parties.
- 2] Rule. With the consent of and at the request of the learned counsel for the parties, Rule is made returnable forthwith.
- 3] The learned counsel for the parties agree that the issue involved in the present petition is identical to the issue involved in *Writ Petition No. 1678 of 2018 (The State of Maharashtra & Ors. vs. Jagdish Magan Wagh)*.
- 4] In fact, the challenge in the present petition as well as in Writ Petition No. 1678 of 2018 is to the common judgment and order dated 12th July 2016 made by the Maharashtra Administrative

Tribunal (MAT) disposing of Original Application Nos. 414 and 415 of 2016. This Writ Petition arises out of common judgment and order made in Original Application No. 414 of 2016.

5] Mr. Yadav, the learned AGP therefore reiterates the submissions made by him in Writ Petition No. 1678 of 2018.

6] Ms Deshmukh, the learned counsel for the respondent submits that she adopts the submissions made by Mr. Vikram Pai, the learned counsel for the respondent no. 1 in Writ Petition No. 1678 of 2018, by way of defence of the impugned judgment and order.

7] Since, the issues raised in the present petition, are covered by the judgment and order dated 17 July 2018 in Writ Petition No. 1678 of 2018 and for the reasons recorded therein, we set aside the impugned judgment and order and allow this petition. Rule is made absolute in terms of prayer clause (b). There shall be no order as to costs.

(M.S. SONAK, J.)

(ACTING CHIEF JUSTICE)

CHANDKA

Sunita Kishandas
Chandka

Digitally signed by Sunita Kishandas
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Date: 2018.07.17 14:36:55 +0530