

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 5336/2017

(GULAB SHIVNATH HEDAU **VERSUS** THE STATE OF MAHARASHTRA & ANOTHER)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri K.V. Deshmukh, counsel for the petitioner.
 Shri I.J. Damle, A.G.P. for the R-1 & 2.

**CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : MARCH 26, 2018.

By this writ petition, the petitioner challenges the order of the Maharashtra Administrative Tribunal, dated 25.04.2017 dismissing the original application filed by the petitioner.

The petitioner was appointed as a Laboratory Technician on a post earmarked for the scheduled tribes. The petitioner's services were terminated by the concerned respondents in April-2001. The petitioner had filed a representation to the Joint Director for protection of his services but the same was rejected. Basing his claim on the judgment of the Full Bench reported in **2015 (1) Mh.L.J. 457** (*Arun Vishwanath Sonone Versus State of Maharashtra & Others*), the petitioner had filed the original application before the Maharashtra Administrative Tribunal for seeking the protection of his services. The said application was however dismissed by the impugned order.

In view of the judgment rendered by the Hon'ble Supreme Court, reported in **2017(4) Mh.L.J. 898** (*Chairman and Managing Director, Food Corporation of India & Others Versus Jagdish Balaram Bahira & Others*) by which the Full Bench judgment in the case of Arun Sonone is overruled, the relief sought

by the petitioner cannot be granted. There is no infirmity in the impugned order of the Maharashtra Administrative Tribunal, more so as the judgment on which the petitioner had relied for seeking the protection is overruled by the Hon'ble Supreme Court.

In the result, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

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