

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

WRIT PETITION NO.9049 OF 2018

Shankar s/o Ratan Tomke and ors.

..Petitioners

Versus

The State of Maharashtra and ors.

..Respondents

Mr P.V. Suryawanshi, Advocate for petitioners

Mr S.G. Karlekar AGP for respondents no. 1 to 4

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVALA, JJ**

DATE : 9th January, 2019

PER COURT

1. The petitioner assails the order dated 25/7/2018 rejecting the Original Application stamp and the miscellaneous application. Some of the petitioners were working with respondent no.3 and some of the petitioners were working with respondent no.4.

2, We have heard learned Counsel for the petitioner and learned A.G.P.

3. It is not disputed that Some of the petitioners were working with respondent no.3 and some of the petitioners were working with respondent no.4. Some petitioners could have proceeded with the present original application and would have filed separate application for some of the petitioners.

4. Considering sub rule (5) of Rule 4 of Maharashtra Administrative Tribunal (Procedure) Rules, 1988 , two or more applicants are entitled to file a single application if the case is same. As the petitioners are working in different establishments, it cannot be said that case is against a single respondent.

5. The petitioners have already been made intact by the tribunal, may file application to register original application and the miscellaneous application for the applicants against a particular respondent and others may file separate original application.

6. Writ Petition accordingly disposed of.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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