

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

WRIT PETITION NO. 9332 OF 2019

Shamsundar Ramrao Pande .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Avinash S. Deshmukh, Advocate for the Petitioner.
Shri P. K. Lakhotiya, A.G.P. for Respondents/State.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 30TH JULY, 2019.

FINAL ORDER :

. We have heard Mr. Deshmukh, the learned advocate for the petitioner.

2. The learned Assistant Government Pleader for respondents raises a preliminary objection that the petitioner has remedy before the Maharashtra Administrative Tribunal.

3. According to Mr. Deshmukh, the learned counsel for the petitioner, it would be futile to approach the Tribunal once again. The learned counsel submits that, the petitioner is retired person.

3. Once the petitioner approaches the Tribunal, the Tribunal shall have to re-consider the petition of the petitioner afresh on its own merits. The apprehension of the petitioner that, the Tribunal had earlier upheld order dated 09.05.2017 may not be proper. The Tribunal certainly will consider submissions made by the petitioner on its own merits and decide the application afresh, expeditiously.

4. In view of the above, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb / July 19