

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

WRIT PETITION NO. 13051 OF 2019

SUDHAKAR BHIMRAO KAKDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Shri S. S. Thombre
AGP for Respondent Nos. 1 to 3 : Shri N. T. Bhagat
Advocate for Respondent No. 4 : Shri E. P. Sawant

...

CORAM : RAVINDRA V. GHUGE, J.

DATED : 17th OCTOBER, 2019.

...

PER COURT :

1. I have heard the learned Advocate for the petitioner, the learned AGP on behalf of respondent Nos. 1, 2 and 3 and the learned Advocate on behalf of respondent No. 4.

2. The petitioner is aggrieved by the order dated 09/10/2019, passed on the stay application in Appeal No. 75/2019. The petitioner has suffered an order of reversion. Though he claims to have been recommended for promotion by the competent committee and was consequentially promoted on

16/04/2016, he has been demoted on 21/09/2019. The proceedings are now before the Additional Divisional Commissioner, Aurangabad, respondent No. 3 herein.

3. In view of the above and as the next date of hearing in the matter before respondent No. 3 is posted to 04/12/2019, this petition is disposed off.

4. All the parties would ensure that they would complete their oral submissions on 04/12/2019. Written notes of submissions along with case law if any, shall also be tendered on the same date.

5. Thereafter, respondent No. 3 shall post the matter to 30/12/2019 at 03.00 p.m. and shall deliver a reasoned order. Copies of the order shall be kept ready to be supplied to the litigating parties on an application and payment of requisite fees.

6. In order to avoid further litigation and complications, respondent No. 4 shall refrain from

filling in the position, which could be granted to the petitioner, only if he succeeds in this litigation, until 30/12/2019.

7. Respondent No. 3 shall decide the said proceedings on its merits and without being influenced by the letter issued by the Divisional Commissioner dated 04/12/2019.

(RAVINDRA V. GHUGE, J.)

shp/-