

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

WRIT PETITION NO.12868 OF 2019

Sanjay Rajaram Patil

...PETITIONER

VERSUS

The State of Maharashtra
and others.

...RESPONDENTS

...
Dr. Kalpalata Patil-Bharaswadkar Advocate for Petitioner.
Mr.G.O. Wattamar, A.G.P. for Resp. Nos.1 to 4.
...

**CORAM: SUNIL P. DESHMUKH AND
S.M. GAVHANE, JJ.**

DATE : 16TH OCTOBER, 2019

ORDER :

1. Heard learned counsel for the parties. Notice to the respondents. Learned AGP waives notice for respondents.
2. Heard learned counsel for the parties. Learned counsel for petitioner purports to refer to background under which civil engineering wing had been amalgamated with public works department from a long time. Petition is moved with a view not to have disturbance to prevailing position with respect

to employment of petitioner in public works department with cancellation of amalgamation of civil engineering wing of forest department with public works department, under recent government resolution dated 7th June, 2019. Said government resolution is under challenge before tribunal and matter is pending. Till such time, protection is sought by the petitioner.

3. Perusal of the order passed by tribunal in original application No.667 of 2019 shows that notice had been issued by tribunal making it returnable on 13th November, 2019 and in meantime prayer clause "E" of the original application had been granted directing authorities to decide on representation filed by the petitioner. While decision on representation is in negation and against the petitioner, it appears that he has preferred miscellaneous applications No.499 of 2019 and 500 of 2019, one for stay and the other for amendment. Notices are issued in those applications. However, there had been no further relief granted by the tribunal. In the circumstances, petitioner has been requesting for interim protection, since as a fall out of the rejection of the representation, an action perceptibly detrimental to the petitioner has been apprehended.

4. In the circumstances, the position obtaining as on date be maintained till the next date before the tribunal. The tribunal may proceed with the hearing of the original application and miscellaneous applications. This protection to continue till further orders are passed by tribunal interim or otherwise and shall not preclude the tribunal from passing appropriate orders in the matters pending before it. Needless to refer that petitioner is expected to co-operate with the tribunal. Writ petition is disposed of.

(S.M. GAVHANE, J.)

asb/OCT19

[SUNIL P. DESHMUKH, J.]