

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12711 OF 2018

RAOSAHEB HARIBHAU BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Sapkal V. D.
AGP for Respondents No. 1 & 2 : Mr. A. B. Chate
Advocate for Respondents :
Advocate for Respondent No. 3 : Mr. S. G Jadhavar
Advocate for Respondent No. 4 :
Mr. Mukul S. Kulkarni
Advocate for Intervenor :
Mr. S. P. Salgar h/f. Mr. N. V. Gaware

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CIVIL APPLICATION NO. 15070 OF 2018

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

DATE: 18th MARCH, 2019

PER COURT :

1. Mr. Salgar, learned counsel for the intervenor submits that the intervenor has filed the application Enquiry No. 07 of 2009 under Section 41-D of the Maharashtra Public Trusts Act, 1950 and in the said proceeding respondent no. 3 herein was appointed as a fit person.

2. According to Mr. Sapkal, the learned counsel, application filed by intervenor has been rejected on 07.01.2019 and the temporary suspension order of respondents no. 1, 2 and 4 to 7 in the said proceeding has been vacated and they are exonerated from the charges framed against them. According to the learned counsel, as the application itself is rejected and in that application present respondent no. 3 is appointed as a fit person, now the said order would also not survive.

3. This Court under order dated November 22, 2018 had restrained the respondent no. 3 from taking further steps including calling the candidates for interview, if already not called and also from issuing letter of appointments. The said interim order is continued further.

4. In the light of above, the advertisement issued by respondent no. 3 now would not survive, more particularly, when no other steps were taken

pursuant to the said advertisement.

5. The impugned advertisement shall not survive.

6. Writ Petition stands disposed of accordingly.

No costs.

7. In view of disposal of the writ petition, the civil application also stands disposed of.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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