

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 23 OF 2019
IN
WRIT PETITION NO. 5433 OF 2017**

Suhas Ramchandra Bagde .. Applicant

In the matter between :

Suhas Ramchandra Bagde .. Petitioner

Vs.

The State of Maharashtra & Ors. .. Respondents

Mr.Arshad Shaikh I/b Ms.Ushajee Peri for applicant.

Mrs.R.A. Salunkhe, AGP for respondent Nos.1 and 4.

Mr.M.D. Lonkar I/b Ms. Nazia S.A. Shaikh for respondent No.2.

Mr. Atul G. Damle, Sr. Advocate I/b Ms. Leena Patil for respondent No.3.

**CORAM : B.R. GAVAI &
N.J. JAMADAR, JJ.**

DATE : 7TH JANUARY 2019

P.C.

1 After this Court observed that the reliefs sought in this civil application cannot be granted in the application inasmuch as the cause of action is totally different in the writ petition than the cause of action in the civil application, the learned counsel for the applicant seeks leave to withdraw the application with liberty to approach the learned Maharashtra Administrative Tribunal. The learned counsel, however, requests this Court, to consider the fact that the applicant is likely to retire within a period of

six months and therefore prays that the learned Maharashtra Administrative Tribunal may be directed to decide the application of the applicant for ad-interim relief in a time bound manner.

2 The application is, therefore, disposed as withdrawn with liberty as prayed for.

3 Taking into consideration the grievance of the applicant that the applicant is likely to retire shortly, we request the learned Maharashtra Administrative Tribunal to consider the application for ad-interim relief and decide the same within a period of two weeks from the date on which the applicant makes such application.

[N.J. JAMADAR, J.]

[B.R. GAVAI, J.]