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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1793 OF 2019
IN
WRIT PETITION NO. 5029 OF 2018**

Yuvraj Dhondu Bhadane

...Applicant

vs

**1 State of Maharashtra through
Urban Development Department**

2 The Commissioner,

Ulhasnagar Municipal Corporation

3 The Ulhasnagar Municipal Corporation

...Respondents.

Mr.Mihir Desai, Senior Advocate i/b Mr.V.V.Salunkhe for the
applicant/Petitioner
Ms M.S.Srivastav, AGP for State
Mr.Milind More for respondent Nos.2 and 3.

**CORAM : RANJIT MORE &
N. J. JAMADAR, JJ.**

DATE : 18th OCTOBER, 2019.

P. C. :

This civil application is filed by the applicant praying for following reliefs:

“a. This Hon’ble Court may be pleased to direct the Respondents to grant promotion to the Applicant to the post of Deputy Commissioner in the light of the aforesaid reply (Exh.`B’ hereto) submitted by the Respondent Corporation to the Respondent No.1-State of Maharashtra

OR IN THE ALTERNATIVE

b. The Respondent No.1 – the State of Maharashtra be directed to rescind the Resolution No.76 dated 9.3.2018 passed by Respondent No.3 by allowing the aforesaid representation (Exh.`A`) hereto submitted by the Applicant within two weeks.”

2 Mr.Desai, learned senior counsel at the outset makes a statement that the applicant has also approached the Urban Development Department of the State Government by filing application dated 12.3.2018 under section 451 of the Maharashtra Municipal Corporations Act,1949. He further submitted that the Urban Development Department by its communication dated 26.6.2018 directed respondent No.2 to offer its remarks. Respondent No.2 accordingly by its communication dated 15.5.2019 has offered its remarks on the petitioner’s application dated 12.3.2018. The petitioner’s application as well as communication of the State Government and the remarks of respondent No.2 are placed on record at Exhibit-A. Mr.Desai, learned senior counsel, having taken instructions from his client, states that if the State Government is directed to dispose of petitioner’s application dated 12.3.2018 referred to above, he will not press this application as also the writ petition.

3 Mr.More, learned counsel for respondent Nos.2 and 3 on instructions of their clients, as well as learned AGP for respondent No.1 stated that they have no objection for passing appropriate order by the State Government.

4 In the abovesaid circumstances, both the Civil Application as well as the writ petition are disposed of by passing the following order:

- ORDER -

5 The Secretary of Urban Development Department, Government of Maharashtra is directed to dispose of the petitioner’s

application dated 12.3.2018 preferred under section 451 of the said Act as expeditiously as possible and preferably within a period of two months from today.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]