

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6657 OF 2019**

Villegers of Onaanvase Village at Dhapoli ...Petitioner

Versus

The State of Maharashtra ...Respondent

Mr. Mishra Ditendra Kumar, for the Petitioner.

Ms. Vaishali Nimbalkar, AGP for the State/Respondent no.1.

CORAM: N. J. JAMADAR, J.

DATED : 9th MARCH, 2020

PC:-

1. The challenge in this petition is to an order passed by the Minister of State (Home – Rural) on 11th March, 2019, whereby the Minister was persuaded to grant stay to the order dated 26th April, 2018, whereunder respondent no.2 came to be suspended from the post of Police Patil, which was upheld by the Additional Commissioner, Konkan Division, by an order dated 5th October, 2018. The Minister further directed that respondent no.2 be reinstated in the said post of Police Patil of village Onanavase, Taluka Dapoli, with immediate effect.

2. Heard the learned Counsels for the parties.

3. Having regard to the fact that the impugned order is passed at an ad-interim stage and respondent no.2 was directed to be reinstated in the said post, the petition can be disposed of

by reserving the liberty to the petitioner to approach the Minister and seek expedite hearing of the appeal and, in the event the appeal cannot be heard, to consider the prayer for vacation of ad-interim order.

4. It is, however, clarified that any order in the appeal or on the prayer of the petitioner for vacating interim relief granted in favour of respondent no.2, shall be passed only after providing an effective opportunity of hearing to respondent no.2.

5. It is hereby made clear that this Court has not considered the merits of the matter.

6. The writ petition stands accordingly disposed of.

[N. J. JAMADAR, J.]