

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 510 OF 2020

Sadashiv Vinayak Sonar. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Mr.Abhijeet Khandarkar for the Petitioner.
Ms.Geeta P. Sonawane, AAGP for the State.
Mr.N.P.Deshpande with Mr.Sachin Pawar for Respondent No.4.

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CORAM : **NITIN JAMDAR AND
M.S. KARNIK, JJ.**

DATE : **24 January 2020.**

P.C. :

By this petition, the Petitioner has challenged the order passed by the Maharashtra Administrative Tribunal dated 26 September 2019 in Original Application No.926/2019. The principal grievance of the Petitioner is that the Petitioner was not heard when the impugned order was passed though he was a party to the original application. The learned counsel appearing for Respondent No.4 submits that in view of adjudication that had taken place earlier in respect of the entitlement of the Petitioner, the Tribunal rightly did not find it necessary to hear the Petitioner before

passing the impugned order and that by the impugned order, the Tribunal is simply giving effect to the earlier adjudication.

2. The Petitioner has remedy in law to approach the Tribunal by pointing out that the order has been passed without giving him any notice. The Tribunal can also recall the order and hear the Petitioner again. The learned counsel appearing for the Respondents make grievance that the Petitioner is only keeping the proceedings pending. The Petitioner, if intends to pursue the matter further will file an application before the Tribunal within a period of fifteen days from today along with an application for interim relief. On filing of such an application, the Tribunal will consider taking up the application at an early date.

3. Keeping all the contentions of the parties open, including that of violation of principles of natural justice, the writ petition is disposed of in the above terms.

(M.S. KARNIK, J.)

(NITIN JAMDAR, J.)