

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

WRIT PETITION NO.572 OF 2020

Brahmdev Maruti Chougule

.. Petitioner

vs

State of Maharashtra through its
Secretary, Mumbai & ors

.. Respondents

Mr.Raghvendra B.Kulkarni for Petitioner

Ms.Rupali Shinde Asst.Govt.Pleader for Respondent nos.1 to 5.

**CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ**

DATE : 17TH MARCH, 2020

P.C

1. The Petitioner had filed Original Application for a direction that the Petitioner be appointed in view of his placement on the Waiting list. When the Petitioner had filed the Original Application, the stage of challenging the appointment of Respondent no.6 had not arisen. The Tribunal therefore, observed that the filing of the Original Application was pre-mature, and accordingly, disposed of the Original Application.

2. It is clear from the order that if, the substantive right of the Petitioner is affected or appointment is made by-passing his claim, the Petitioner would have a cause of action and the impugned order of the Tribunal will not come in his way.

3. With these observations, Writ Petition is disposed of.

(ABHAY AHUJA, J)

(NITIN JAMDAR, J)