

Pradnya Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 2092 OF 2019
WITH
NOTICE OF MOTION NO. 312 OF 2019**

Union of India and Anr. ..Petitioners

vs.

Arjun Shivaji Veer and Anr. ..Respondents

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Mr. N.R. Prajapati for Petitioners.

Mr. Rahul Walia a/w Mr. Brijesh Nittekar for Respondent No.1.

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

DATE : 3 MARCH 2020

P.C.:-

By this Petition, the Petitioner-Union of India has challenged the order passed by the Tribunal dated 9 February 2018.

2. The Respondent working as Group 'D' employee was dismissed from service on 22 April 2014. While he was in service he was allotted government accommodation. He has challenged the order of his termination by filing Original Application No.543 of 2015 which is pending. In the Original Application No.554 of 2014 the Tribunal protected the accommodation of the Respondent till disposal of the Original Application No.543 of 2015.

3. This order is passed by the Tribunal on 9 February 2018. The Writ Petition thereafter is filed on 12 July 2019. In an entirely incorrectly advised step, the Petitioner-Union of India has filed Notice of Motion for condonation of delay, when explanation ought to have been given in the Petition for latches.

4. Be that as it may, we are informed by the learned counsel for the Respondent that the Original Application No.543 of 2015 is listed for hearing tomorrow before the Tribunal. Since the order is continued for almost two years and the extension of protection is till the disposal of the Original Application which is listed tomorrow, we are not inclined to interfere in writ jurisdiction. The Tribunal will, however, giving priority to the hearing of Original Application No.543 of 2015 and dispose of the same at the earliest.

5. Writ Petition is accordingly disposed of. Notice of Motion also stands disposed of accordingly.

(M.S.KARNIK, J.)

(NITIN JAMDAR, J.)