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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 7518 OF 2020
IN
WRIT PETITION NO.10694 OF 2019

Yogesh Madhukar Thakar

APPLICANT

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....

Mr. Sushant C. Yeramwar, Advocate for the applicant
Ms. G. L. Deshpande, AGP for respondent - State
Ms. Jayshri P. Reddy, Advocate for respondent No. 3

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[CORAM : SUNIL P. DESHMUKH AND
ABHAY AHUJA, JJ.]

DATE : 26th FEBRUARY, 2021

ORDER :

1. Learned advocate for the applicant points out that despite protection having been granted to the applicant under interim order dated 28th August, 2019 passed by this court in the writ petition, the applicant is being put on supernumerary post under impugned communication dated 12th October, 2020. He further, referring to order dated 21st January, 2021 in civil application No. 1066 of 2021, submits that facts and circumstances in present matter are similar to the facts and circumstances involved in said matter and requests that similar treatment be given to present

applicant as well.

2. Learned advocate for respondent No. 3 tenders across a communication whereunder it is purported to convey that impugned order has been cancelled until decision in the writ petition.

3. Learned advocate for the applicant, however, submits that such a condition would be untenable in the face of earlier orders in the subject matter being passed. The court had earlier on considered that the such orders are in breach of principles of natural justice.

4. Having regard to aforesaid, we deem it appropriate to follow the course adopted in the orders earlier on, referred to above.

5. In the circumstances, impugned order dated 12th October, 2020 passed by respondent No. 3 is set aside. Civil application accordingly is disposed of.

[ABHAY AHUJA]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE