

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 467 OF 2021

Sunil Shankar Jadhav

...Petitioner

Versus

The Thane Municipal Corporation & Ors. ...Respondents

Mr. Pramod G. Kothane for the Petitioner.

Mr. Chirag J. Shah for the Respondent-TMC.

CORAM : K.K. TATED &
R.I. CHAGLA, JJ.

DATE : 8 April 2021

ORDER :

1. Heard the learned Counsel for parties.
2. By this Petition under Article 226 of the Constitution of India, the Petitioner is seeking direction against the Respondents to promote him as Deputy Engineer in their establishment.
3. Learned Counsel Mr. Kothane appearing for the

Petitioner submits that earlier the Petitioner has made Representation dated 13th July 2019 (pg. 44 of the Petition) to the Respondents for the same cause of action. He submits that the said Representation is pending for hearing on its own merits. He submits that he received instructions from his client to make statement before this Court to seek permission to withdraw the present Writ Petition and filed additional Affidavit in support of their Representation dated 13th July 2019 with the Respondents and direct them to decide the same on its own merits. He submits that to that effect, the Petitioner will place a praecipe on record within two weeks from today. Statement is accepted.

4. Considering the submissions made by the learned Counsel and the statement made by the learned Counsel for the Petitioner, we pass the following order:-

- (i) The Petitioner is permitted to file additional Affidavit in Support of his Representation dated 13th July 2019 (pg. 44 of the Petition) giving all details along with additional documents, if any, with the Respondents on or before 30th April 2021.

- (ii) Respondents are directed to decide the Petitioner;s Representation dated 13th July 2019 along with additional Affidavit, if any, filed by him on or before 30th April 2021 on its own merits as early as possible, but in any case on or before 11th June 2021 and inform the decision to the Petitioner in writing.
- (iii) All contentions of both the parties are kept open.
- (iv) Writ Petition stands disposed of as withdrawn.
- (v) No order as to costs.
- (vi) Parties to act on authenticated copy of this order.

[R.I. CHAGLA J.]

[K.K. TATED, J.]