

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION NO. 1749/2021 IN
WRIT PETITION NO. 3957/2021

(Dr. Mir Sadique Ali Vs. State of Maharashtra & ors.)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A. M. Sudame, Advocate for applicant/petitioner.
Shri N. R. Patil, AGP for non-applicant/respondent Nos.1, 4
and 5.
Shri A. P. Bhuibhar, Advocate for respondent No. 2.

CORAM : VINAY JOSHI, J.
DATE : 02.11.2021.

Heard Learned counsel for the applicant/petitioner and perused the record. It reveals that while disposing of the petition, this Court vide order dated 08.09.2021 has extended interim relief which was granted earlier to extend for the period of next two weeks. In-fact, interim relief was extended to enable the petitioner to appear before alternate Forum i.e. College Tribunal. In turn, the petitioner has approached to the College Tribunal who vide order dated 14.09.2021 has extended the protection for the period of four weeks from that date. During mean time, the Presiding Officer of College Tribunal got retired and therefore, the petitioner again came

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back to this Court seeking extension since he has no Forum. In the situation, this Court vide order dated 08.10.2021 has extended the interim order for the period of four weeks which would come to end on 05.11.2021. The petitioner's learned counsel has submitted that though new appointment of the Presiding Officer to the College Tribunal has been made, however charge has not been taken. Considering said exigency, he prayed to extend interim relief on the same terms and conditions.

2. Learned counsel for the respondent No. 2 conceded the position that on date new Presiding Officer has not taken a charge of the College Tribunal.

3. In view of the above position, earlier interim order to continue for four weeks from today.

4. Issue notice to the non-applicants/respondents returnable after four weeks. Learned AGP waives service of notice for respondent Nos.1, 4 and 5.

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5. In addition to the regular mode of service, private service is permitted.

6. This application be placed for direction after four weeks.

JUDGE

Gohane.