

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

20 WRIT PETITION NO.1759 OF 2019

**IKRAMODDIN KHIYAMODDIN KHATIB
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner: Mr. Joshi Hrishikesh A
AGP for Respondent Nos.1 to 5:
Mrs. M. A. Deshpande

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**CORAM: SMT. SADHANA S. JADHAV &
S. G. DIGE, JJ.**

DATE: 14th MARCH, 2022

PER COURT:

1. The learned A.G.P. at the outset has submitted that certain events upon which the Petitioner is relying to substantiate his contentions in the present Petition are subsequent not only to the passing of the order of the Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad but subsequent to the filing of the *affidavit-in-reply* by the Respondent in the present Petition.

2. The learned Counsel placed implicit reliance upon certain documents which are obtained under

the Right to Information Act, 2005. The order of the Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad is passed on 24.03.2017 and he has received the information in the year-2018. The learned Counsel desires to place all the documents before the Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad for re-consideration of his claim in the Petition.

3. In view of this, the Petitioner shall file fresh Original Application before the Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad. The Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad shall consider the subsequent events placed on record. The Maharashtra Administrative Tribunal, Mumbai bench at Aurangabad shall not be influenced by any of the observations made in the order dated 24.03.2017 and treat the Original Application as a fresh Petition. The Tribunal shall consider the documents received by the Petitioner in the year-2018, which are certain administrative orders

passed by the Home Department of the Government of Maharashtra.

4. With these observations, the Petition stands disposed of. It is further made clear that this Court has not considered the merits of the Petition.

[S. G. DIGE, J.]

[SMT. SADHANA S. JADHAV, J.]

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