

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

971 WRIT PETITION NO.8059 OF 2022

SHANKAR DHANSING CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Kulkarni Mukund R.
AGP for Respondents-State : Mr. S. K. Tambe
...

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 02nd August, 2022

PER COURT :

1. The petitioner has directly approached this Court with prayer Clause 'C' as under :-

(C) By issuing appropriate Writ, Order or direction this Hon'ble Court may kindly be pleased to hold and declare that the petitioners are entitled to enjoy the benefit yearly increment and leave benefits and pay protection of adhoc service prior to absorption and pay arrears thereof.

2. It is informed that the original applicants in O.A.No.204/19 with 238/2019 with 239/2019, have challenged the Judgment dated 29/10/2021 delivered by the learned Maharashtra Administrative Tribunal (M.A.T.), Aurangabad. As such, we cannot entertain this petition directly.

3. The petitioner has put forth prayer Clause 'E' as under :-

(D) By issuing appropriate Writ, order or direction this Hon'ble Court may kindly be direct the respondents to release yearly increment and leave benefits from date of initial appointment (adhoc/temporary) to the petitioner and pay arrears thereof.
4. This Court would not entertain the said prayer as the jurisdiction to deal with the said prayer lies with the learned Maharashtra Administrative Tribunal.
5. The learned Advocate for the petitioner, therefore, submits on instructions that the petitioner would join the original applicants who have approached this Court for challenging the common Judgment dated 29/10/2021, by filing an application to intervene in the matter.
6. As such, this petition is disposed off.
7. We need not make any comment as regards the desire of the petitioner to file an intervention application in Writ Petition No.1804 of 2022 and 1862 of 2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

vjg/-.