

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

**959 WRIT PETITION NO.3193 OF 2017
WITH CA/5970/2018 IN WP/3193/2017**

**HARICHANDRA DILIP PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Sandesh R. Patil
AGP for Respondent / State : Mr. K.N. Lokhande
...

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 04-08-2022

ORAL ORDER (PER SANDEEP V. MARNE, J.) :

1. Mr. S.R. Patil, learned advocate appearing for the petitioner seeks leave to amend the petition for challenging the order dated 03.03.2017 passed by the Maharashtra Administrative Tribunal in Original Application No.638 of 2015.

2. Leave as prayed for is granted. Amendment to be carried out forthwith.

3. Mr. Patil submits that he intends to pursue the remedy in respect of cause of action of the petitioner before the Maharashtra Administrative Tribunal. He, however, apprehends that the order

dated 03.03.2017 passed by the Tribunal in O.A. No.638 of 2015 may come in his way. He, therefore, prays for formally setting aside that order so as to enable the petitioner to pursue his remedy before the Tribunal.

4. Accordingly, the order dated 03.03.2017 passed in O.A. No.638 of 2015 is set aside only for enabling the petitioner to approach the Tribunal with regard to the grounds raised in the present petition.

5. It is made clear that we have not gone through the merits of the matter. All the contentions are kept open.

6. Writ Petition is disposed of accordingly.

7. Pending Civil Application stands disposed of.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)