

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10723 OF 2022

Chandrakant Mahadeo Jadhav	}	Petitioner
Versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Ms. Savita Suryavanshi for the petitioner.

Mr. B. V. Samant, AGP for State.

**CORAM: DIPANKAR DATTA, CJ. &
MADHAV J. JAMDAR, J.**

DATE: SEPTEMBER 14, 2022

P.C.:

1. The original applicant in Original Application No. 405 of 2022, pending on the file of the Maharashtra Administrative Tribunal, Mumbai (hereafter "the Tribunal", for short), is the petitioner before us. He questions the order of the Tribunal dated 8th July 2022, whereby interim relief granted by an earlier order dated 4th May 2022 has been vacated.
2. We have heard learned advocates for the parties and perused the order under challenge.
3. The Tribunal has recorded reasons in the impugned order for vacating the interim order granted earlier by it. We need not express any opinion on the legality and/or validity of such an order in view of the order we propose to pass, except that the Tribunal having recorded reasons for vacating the interim order granted earlier, it could have disposed of the

original application finally. It is observed that if the petitioners are not eligible to participate in an interview pertaining to the recruitment process in question and the interview is followed by appointment of the selected candidates, no useful purpose would be served in keeping the original application pending.

4. We have been informed by Mr. Samant, learned AGP for the State that there is no likelihood of announcement of the date of interview within a further period of a fortnight from date.

5. In such view of the matter, we request the Tribunal to explore the possibility of deciding the original application finally at an early date on the basis of the pleadings that are already on record.

6. Ms. Suryavanshi, learned advocate for the petitioner has informed us that the State has already filed its reply affidavit.

7. In view thereof, the petitioner is granted 3 (three) days' time to file rejoinder affidavit.

8. The Tribunal is requested to take up Original Application No. 405 of 2022 along with other pending original applications concerning the same issue and endeavour to decide the same in accordance with law, preferably by 30th September 2022.

9. All contentions on merits are left open.

10. The writ petition is disposed of. No costs.

SALUNKE
JV

Digitally signed
by SALUNKE JV
Date: 2022.09.15
17:49:21 +0530

(MADHAV J. JAMDAR, J.)

(CHIEF JUSTICE)