

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

**WRIT PETITION NO.4012 OF 2021**

**Shri Swapnil s/o Bhaurao Salankar**

**..VS..**

**State of Mah., thr.its Secretary, Medical Education and Drugs Department,  
Mantralaya, Mumbai and ors**

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

Court's or Judge's Order

.....  
Shri P.S.Sahare, Counsel for the Petitioner.  
Shri Saurabh Yerawar, Counsel for the Respondent No.3.  
Shri N.R.Rode, Assistant Government Pleader for the  
Respondent No.1.

**CORAM : A.S.CHANDURKAR & URMILA JOSHI-PHALKE, JJ.**

**DATED : JUNE 15, 2022**

1. Heard.
2. It is an admitted fact that Original Application No.612 of 2017 preferred by the present petitioner is pending before the Maharashtra Administrative Tribunal. It is seen that Writ Petition No.1743 of 2021 filed by the present petitioner challenging the order passed by the Tribunal on 19.3.2021 was allowed on 19.7.2021 and the proceedings were remanded to the Tribunal for fresh consideration. On remand, the Tribunal on 25.8.2021 issued directions to the respondent Nos.1 and 2 in those proceedings to consider the letter dated 9.8.2016 issued by the petitioner. Since the respondent Nos.1 and 2 have taken a decision on 15.9.2021 which does not grant relief to the petitioner, the petitioner has challenged that decision in this writ petition.
3. Considering the fact that Original Application No.612 of 2017 is pending before the Tribunal, it would be open for the petitioner to challenge the communication dated 15.9.2021 in those proceedings. Hence, it is not necessary at this stage to

entertain the writ petition on merits.

4. Accordingly, the writ petition is disposed of with liberty to the petitioner to challenge the communication dated 15.9.2021 before the Maharashtra Administrative Tribunal. Since the Original Application is of the year 2017, the same shall be considered and decided expeditiously. All points raised in this writ petition are kept open.

The writ petition is disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

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