

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

61] WRIT PETITION NO. 4433 OF 2023

Umesh s/o Madhukar Deshmukh & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. S. S. Thombre – Advocate for the petitioners

Mr. S. G. Karlekar – AGP for respondent/State

.....

WITH

CIVIL APPLICATION NO. 5524 OF 2023

IN

WRIT PETITION NO. 4433 OF 2023

AND

146] WRIT PETITION NO. 4713 OF 2023

Vijay s/o Bhaurao Khande & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Avinash S. Deshmukh – Advocate for the petitioners

Mr. V. M. Kagne – AGP for respondent/State

.....

CORAM : RAVINDRA V. GHUGE

AND

SANJAY A. DESHMUKH, JJ.

DATED : 24th APRIL 2023

PER COURT : -

CIVIL APPLICATION NO. 5524 OF 2023 : -

1. The learned advocate for the applicant submits that he is concerned with the cause of action and who was a party before the learned Tribunal, was left out of the array of the petitioners since he had not approached earlier for filing this petition. Hence,

by this application, he seeks leave to implead himself as petitioner in Writ Petition No. 4433 of 2023.

2. Leave granted to add the applicant as petitioner. Addition be carried out forthwith. Court fees be deposited.

3. Civil Application stands allowed and disposed off.

WRIT PETITION NOS. 4433 OF 2023 AND 4713 OF 2023 : -

4. In both these petitions, the petitioners are aggrieved by the judgment and order dated 17th March, 2023 passed by the learned Full Bench of the Maharashtra Administrative Tribunal in Original Application No. 144 of 2022. The learned advocates for the petitioners informed us that as a consequence of the impugned judgment, the employer is permitted to issue a notice to the petitioners and terminate their services. They are in employment as on date. Notices for termination are not yet issued.

5. Issue notice to the respondents, returnable on 27th June, 2023. The learned AGP waives service of notice on behalf of all the respondents in Writ Petition No. 4433 of 2023 and on behalf of respondent nos. 1 to 5 in Writ Petition No. 4713 of 2023.

6. Until further orders, we are protecting the services of

the petitioners and directing the respondents/employers not to terminate their services. Needless to state that the order of this court would not create any equities in favour of these petitioners.

[SANJAY A. DESHMUKH]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE