

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

113 CIVIL APPLICATION NO.2176 OF 2023
IN WP/5528/2022 WITH CA/789/2023 IN WP/5528/2022 WITH WP/
5528/2022 WITH CA/16103/2022 IN WP/5528/2022

RAMRAO KALYANRAO YADAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL SECRETARY
AND OTHERS

Mr.R.S.Deshmukh, Sr.Counsel i/b Mr.A.G.Ambetkar, Advocate for the
petitioner.
Mr.S.K.Tambe, AGP for respondent Nos. 1 to 5.
Mr.S.S.Tope h/f Mr.V.U.Pawar, Advocate for respondent No.17.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : MARCH 9, 2023

PER COURT :

1. The learned AGP submits on instructions from Dr.D.L.Jadhav, Divisional Joint Director, Agriculture, Aurangabad, that out of these 31 petitioners, 28 are held to be eligible by the DPC for promotion to the post of "Agriculture Supervisor". The written communication alongwith the proceedings of the DPC (10 pages), are tendered to the Court. The same are taken on record and collectively marked as "X" for identification.

2. The learned AGP further submits that in a period of around 8 to 12 weeks, their promotional orders would be issued. There are 3 Petitioners namely petitioner No.13 Ranjit Sardarsing Rajput, Petitioner No.26 Dipak Raghunath Rathod and Petitioner No.29 Amol Dattatraya Yadav, who are facing suspension / disciplinary proceedings. They cannot be considered for promotion.

3. The learned Senior Advocate Mr. R.S. Deshmukh, on specific instructions from the learned Advocate for the Petitioners submits that these Petitioners are agreeable with the statement made by the learned AGP and this petition can be disposed off, without causing interference in the impugned order of the learned Tribunal.

4. The learned Advocate representing respondent Nos. 6 to 20 submits on instructions that these Respondents are also agreeable for a disposal of the writ petition, in the light of the above statement.

5. In view of the above, this petition is disposed off by consent without interference in the impugned judgment and order of

the Tribunal dated 05.04.2022 passed in Original Application No.260/2021. Needless to state, the ad-interim order passed earlier stands vacated forthwith.

6. Needless to state, in so far as the 3 Petitioners who are facing disciplinary action are concerned, they are at liberty to take up their cause after the decision in the disciplinary proceedings.

7. Pending civil applications would not survive and stand disposed off.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)