

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

914 WRIT PETITION NO.5034 OF 2023

MAYUR MALLIKARJUN MAHAJAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. S.P.Urgunde
AGP for Respondent/State : Mr. S.P. Tiwari

.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 3rd MAY, 2023.**

PER COURT :-

1. This matter was heard for some time Yesterday and was posted today to enable the learned A.G.P. to take instructions.
2. Today, the learned A.G.P. has placed on record a communication received by him dated 2nd May, 2023 from Shri U.R. Dahiphale, Deputy Secretary, Government of Maharashtra. Same is taken on record and marked as "X" for identification.
3. The learned Advocate for the Petitioner has strenuously tried to convince us that we should pass some interim order and protect the Petitioner's promotion to a post which is vacant, since the Original Application No.299 of 2023 is still pending and the learned Tribunal has not yet passed an order on the interim relief prayer.

4. After considering the pendency of the application before the learned Tribunal and the strenuous request of the Petitioner, we are of the view that it would be more appropriate for the Petitioner to request the learned Tribunal to consider the prayer for interim relief in Original Application No.299 of 2023. Rather than creating another offshoot of litigation before this Court, we felt it appropriate for the Petitioner to make urgent request to the learned Tribunal to consider his prayer for interim relief.

5. With the above liberty, **this Petition is disposed off.** The Petitioner is permitted to tender a copy of the communication "X" before the learned Tribunal. We request the learned Tribunal to consider the prayer of the Petitioner for interim relief, after hearing all the sides. If the situation so occurs, liberty to move the learned Vacation Bench of the Tribunal.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

sga/