

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

WRIT PETITION NO.7941 OF 2022

**JAYESH PREMCHAND FIRKE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri Harshal Prakash Randhir
AGP for Respondents 1 to 4 : Shri S.G. Sangle
Advocate for Respondent 5 : Shri A.G. Talhar
Advocate for Respondent 6 : Shri G.L. Kedar i/by Shri P.S.
Gaikwad
...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 06th February, 2023

Per Court :-

1. Shri Talhar, the learned advocate, desires to file an affidavit in reply, which was supposed to be filed on 27.01.2023.
2. The affidavit in reply is accepted across the Bar since Shri Talhar assures that he would donate an amount of Rs.5000/- (Rupees Five Thousand) to the High Court Advocates' Association, Bench at Aurangabad, on or before 20.02.2023.
3. Shri Talhar informs, on instructions, that respondent No.5 would consider the pending representation of the petitioner

dated 16.04.2021, by which, he has prayed that he should be appointed in place of respondent No.6, on compassionate basis.

4. The learned advocate for respondent No.6 rightly submits that he has also been appointed on compassionate basis on account of personal bereavement. The case of the petitioner is that because he had filed his application earlier, that the appointment of respondent No.6 cannot be justified. Hence, he prays that while deciding the representation of the petitioner, the appointment of respondent No.6 should not be disturbed.

5. In view of the above, **this Writ Petition is disposed off.**

6. Needless to state, the representation of the petitioner can be decided by respondent No.5 on it's own merits, within three months. Care should be taken that the appointment of respondent No.6 is not disturbed.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)