

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

949 CIVIL APPLICATION NO.430 OF 2023
IN WP/5351/2009

JAYANT MADHAVRAO POTEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.A.D.Soman h/f Mr.D.V.Soman, Advocate for the applicant.
Mr.S.G.Karlekar, AGP for the respondent/State.
Mr.M.N.Navandar, Advocate for respondent Nos. 2 and 3.

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

DATE : JANUARY 20, 2023

PER COURT :

1. The learned Advocate for the applicant submits that the applicant / petitioner seeks leave to amend. He points out the order of this Court dated 28.04.2022 passed in the writ petition vide which it was noted that as the petitioner is demitting Office within 48 hours and he would have to pray for monetary and service benefits owing to his superannuation, we had granted liberty to the petitioner to carry out the amendment by 10.06.2022. We are informed that the petitioner had to move to Ahmadabad due to Health issues and consequentially he could not carry out the amendment.

2. The learned Advocate for the University has entered an affidavit in reply and has opposed the application.

3. Considering the avernments in the application, the reasons cited and since there was already a prayer put forth in the petition itself that the petitioner should be given the permission to the post of HOD, Agricultural Engineering College, Parbhani with all pay scales, the proposed payer clause is in connectivity and is in tune with the prayers already put forth in the petition.

4. Hence this civil application is allowed. Amendment be carried out on or before 04.02.2023.

5. The respondents are at liberty to file an additional affidavit in reply within 2 weeks thereafter.

6. List the writ petition No.5351/2009 for final hearing on 02.03.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)