

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1651 OF 2023

Sunil Vare	...Petitioner
<i>Versus</i>	
Dhammajyoti Gajbhiye And Ors.	...Respondents

Mr.Abhijeet Desai a/w.Mr.K.Gajre i/b. Desai Legal, for Petitioner.
Ms.Madhavi Ayyapan i/b. Talekar and Associates for
Respondent No.1.
Mr.N.K. Rajpurohit, AGP for Respondent Nos.2 & 3.

CORAM : R.D. DHANUKA &
M.M. SATHAYE, JJ.

DATED : 21st FEBRUARY, 2023

P.C. :

. By this Petition, filed under Article 226 of the Constitution of India, the Petitioner has prayed for a writ of Certiorari for quashing and setting aside the impugned Order dated 27.01.2023 passed by the Maharashtra Administrative Tribunal, Mumbai in Original Application No.117 of 2023 by which the appointment of the Petitioner to the post of DG, BARTI came to be stayed.

2. We have perused the Order passed by the learned Maharashtra Administrative Tribunal granting interim relief in

terms of paragraph 11(a) of the Original Application No.117 of 2023 and directing that the matter will appear on board on 24.02.2023.

3. Mr.Desai, learned counsel for the Petitioner, on instructions states that since the matter is already made returnable on 24.02.2023 he does not want to pursue this petition and would oppose the said application filed by the Respondent No.1. Statement is accepted.

4. In view of the statement made by the learned counsel for the petitioner that he will pursue his right to oppose the application filed by the Respondent No.1, no further Order will be passed in this writ petition. Writ petition is disposed off accordingly.

5. It is made clear that this Court has not expressed any view on the Order passed by Maharashtra Administrative Tribunal.

6. All contentions of both the parties on the merits are kept open.

7. It is made clear that if any of the party is aggrieved by final Order that would be passed by Maharashtra Administrative

Tribunal, such aggrieved party would be at liberty to file appropriate proceedings permissible in law.

(M.M. SATHAYE, J.)

(R.D. DHANUKA, J.)