

jvs

SALUNKE
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by SALUNKE JV
Date: 2023.03.10
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

WRIT PETITION NO. 1987 OF 2021

WITH

INTERIM APPLICATION NO. 4200 OF 2021

Balasaheb Sakharam Jagtap & Ors.	}	Petitioners
Versus		
The State of Maharashtra & Anr.	}	Respondents

Mr. Laxman Deshmukh with Ms. Priyanka Gupta and Mr. Rupesh A. Zade for the petitioners.

Ms. N. M. Mehra, AGP for State.

Mr. Kunal Damle with Mr. Ashish Gabhale i/b. Jay & Co. for respondent no. 2.

**CORAM: S. V. GANGAPURWALA, Act.CJ.&
SANDEEP V. MARNE, J.**

DATE: MARCH 9, 2023

P.C.:

- 1.** We have heard Mr. Deshmukh, learned advocate for the petitioners and Mr. Damle, learned advocate for the Corporation.
- 2.** Under order dated 10th June 2022, this Court had directed the Corporation to decide whether it would choose to implement the resolution dated 29th March 2016. The Court further observed that in so deciding, the Corporation may consider the observations made by the said department and take an appropriate decision within six weeks. More than eight months have lapsed, decision has not been taken by the Corporation.
- 3.** The learned advocate for the Corporation submits that a committee has been constituted under the chairmanship of the Joint Chief Executive Officer (Administrative) to scrutinize the proposal and some time would be required.

4. This Court had already passed orders eight months back to take a decision as observed above. The respondents are required to abide by the orders passed by this Court. The respondents have now constituted a committee. A decision should be taken by the Corporation as sought by this Court under order dated 10th June 2022 and reiterated under order dated 20th December 2022, within six months. Till the decision is taken, adverse action may not be taken against the petitioners. Depending upon the decision that may be taken, the parties may take further steps. All contentions are left open.

5. The writ petition is disposed of. No costs.

6. In view of the disposal of the writ petition, the interim application stands disposed of.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)