

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 9236 OF 2018**

Dr. Shruti Dhale

.....Petitioner

V/s.

The State of Maharashtra

Through the Secretary, Medical

Edu. Drug. Dept. And Ors.

.....Respondents

Mr. Milind A. Ingole a/w. Ms. Rane, Ms. Aishwarya Doewekar and
Ms. Divya Ingole, Advocate for the petitioner.

Mr. B.V. Samant, AGP for State-respondents no.1 to 3.

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

DATE : 13th APRIL, 2023.

P.C. :

1. Petitioner has challenged the order of the Tribunal dated 29th June, 2018. It is submitted by the learned Advocate for the petitioner that petitioner had filed Original Application against the order of transfer thereby transferring him from Mumbai to Jalgaon.

2. It is submitted that subsequently under order dated 23rd April, 2019 the petitioner is brought back to Mumbai.

3. In light of that, it is accepted by the learned Counsel for the petitioner that the judgment of the Tribunal impugned in the present writ petition now would not survive.

4. The learned Counsel for the petitioner submits that the petitioner is not paid salary for the intervening period of about eight months.

5. The petitioner may make an application to the respondent Department with regard to the grievance of non-payment of salary for eight months.

6. The Department shall take decision upon the said representation of the petitioner on its own merits in accordance with law and policy, preferably within four months from the date of receipt of the representation. Writ Petition is disposed of.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)