

WRIT PETITION NO. 1846 OF 2018

The State of Maharashtra and Another	...	Petitioners
versus		
Shri Rajaram Subrao Patil and Another	...	Respondents

Mr.A.P.Vanarse, AGP for the Petitioners -State.
Ms. Leena Patil for Respondent No.1.

**CORAM : NITIN JAMDAR &
MANJUSHA DESHPANDE, JJ.**

DATE : 17 OCTOBER 2023

P.C.:

This Petition is filed by the State of Maharashtra challenging the order dated 5 May 2017 passed by the Maharashtra Administrative Tribunal (the Tribunal), Mumbai in Original Application No. 396 of 2017.

2. By the impugned order, which is an interim order in the Original Application, the Tribunal stayed the order dated 29 April 2017 removing the Applicant/Petitioner from service. We are informed that the Respondent is being continued in service in view of the impugned order passed by the Tribunal. Thereafter, the Petitioner has superannuated. The Writ Petition was filed on 11

September 2017 and has remained pending. It has come up before this Court in regular course and not circulated.

3. The learned Counsel for the parties state that they are not aware about the status of the Original Application. The interim order has remained for last six years therefore even if the Original Application is pending for consideration, we are not inclined to disturb the interim order which is in operation for last six years.

4. The Writ Petition is accordingly disposed of. If the Original Application is still pending, all contentions of the parties are kept open.

(MANJUSHA DESHPANDE, J.) (NITIN JAMDAR, J.)