

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7250 OF 2022

Mr. Mahendra Motilal Mashicharan

.. Petitioner

v/s.

1. State of Maharashtra and anr.

.. Respondents

...

Ms. Priyanka A. Nawale i/by. Shinde & Co., Advocate for the Petitioner.

Mr. N.K. Rajpurohit, Advocate for the respondents.

...

**CORAM : NITIN JAMDAR, &
SANDEEP V. MARNE, JJ.**

Dated : 1 August 2023.

P.C. :

1. Heard learned Counsel for the parties.
2. Petitioner was appointed as Assistant, Nason Ticket No.90 in the services of Respondent no.2-Port Trust. On Petitioner's own showing, the Petitioner stopped reporting on duty since the year 2016. According to the Petitioner, there were certain difficulties which forced the

Petitioner not to attend the duties. The Petitioner seeks direction to the Respondent-Port Trust to permit him to resume his duties. There is no clarity as to what is the status of the Petitioner's services as of today, whether the Petitioner's services have been terminated. The Representation made by the Employees Union on behalf of the Petitioner, refers to Petitioner's name being struck-off from the muster roll. This Representation is also of the year 2021. Response to this Representation is not placed on record, if any.

3. In these circumstances, we dispose of the Writ Petition directing the Respondent-Port Trust to reply to the communication dated 14 July 2021 given by the Employees Union, if not already responded to giving the status of Petitioner's services. If the Petitioner's services have already been terminated, it is open for the Petitioner to adopt such remedy as made available in law subject to delay and/or limitation.

4. The Writ Petition is accordingly disposed of.

**NEETA
SHAILESH
SAWANT**

Digitally signed by
NEETA SHAILESH
SAWANT

Date: 2023.08.04
10:08:30 +0530

SANDEEP V. MARNE, J.

NITIN JAMDAR, J.