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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 13124 OF 2022

Dr. Akshay Bhagwatrao Parjane

... Petitioner

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Pandit Kasar for the Petitioner

Ms. R.A. Salunkhe, AGP for the Respondents

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

DATE : 13 SEPTEMBER 2023

P.C. :-

The Petitioner is aggrieved by the communication issued by Respondent No.6 – The Commissioner, Department of Health Service, refusing to issue no objection certificate to the Petitioner who is working with the Health Services of the State. Without this no objection certificate to be issued by the Respondent No.6, the Petitioner is not able to undertake the Super Speciality Course. Therefore, the grievance of the Petitioner is to the action of Respondent No.6 which is arising out of his service with the State.

2. The issue arises from the Government Resolution dated 19 March 2019 where certain facilities are provided to in-service Medical Officers working with the State of Maharashtra such as the Petitioner. That being the position, the Court of first instance for the relief that is sought for by the Petitioner that is the Maharashtra Administrative Tribunal.

3. Keeping all contentions open, we dispose of the Writ Petition.

4. Considering the facts and circumstances, if the Petitioner files an application before the Tribunal within a period of three weeks, the Tribunal will consider giving it the priority for disposal.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

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