

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

WRIT PETITION NO. 4537 OF 2022

Shri. Mukesh Shankar Nagulpelli ... Petitioner

versus

The State of Maharashtra and Others ... Respondents

.....

Mr.Sudhir V. Sadavarte for the Petitioner.

Ms. R.A.Salunkhe, AGP for Respondent Nos. 1 to 3-State.

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

DATE : 17 OCTOBER 2023

P.C.:

The learned Counsel for the Petitioner states that the Petitioner has succeeded before the Maharashtra Administrative Tribunal (the Tribunal), Mumbai. The Tribunal by order dated 3 March 2015 allowed Original Application No. 717 of 2012. Thereafter, the Petitioner had filed a Miscellaneous Application No. 596 of 2018 for restoration of Contempt Application No. 13 of 2017, which was taken out for implementation of the order passed in the Original Application. Interim Application No. 13 of 2017 was withdrawn.

2. Be that as it may, the alternate prayer of the Petitioner in this Petition is that the Respondent-State should comply with the order dated 3 March 2015 passed in the Original Application. When the Petition came up before the Division Bench of this Court, the Division Bench observed that since the only aspect is of implementation of the order of the Tribunal, the learned AGP would take instructions. Reply affidavit is filed by the State taking a stand that the order is complied with. Rejoinder is filed by the Petitioner stating that this stand is not correct. This was not excepted by this Court when the order is passed on 9 March 2023 that there will be controversy and adjudication on the issue.

3. The order dated 3 March 2015 passed in Original Application No. 717 of 2012 is not challenged by the State. In these circumstances, we dispose of the the Writ Petition directing the State Government to comply with the order dated 3 March 2015 passed by the Tribunal in Original Application No. 717 of 2012 within a period of four weeks from today. If the stand of the Respondent-State that the order is complied with, then a communication to that effect would be issued to the Petitioner within a period of five weeks from today.

4. If the Respondent-State issues communication to the Petitioner as above, then it is open to the Petitioner to approach the Tribunal in

respect of his grievance invoking appropriate jurisdiction of the Tribunal. If such an application is made, considering the fact that the Original Application is of the year 2012, the Tribunal will give priority for disposal.

5. The Writ Petition is disposed of.

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