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

WRIT PETITION NO.15541 OF 2023

Ajit Prabhakar Vaij

Age: 52 Yrs., Occ: Agriculturist

R/o. House No. 297, bhaidwadi,

Niraade, Tal. Sawantwadi,

Dist. Sindhudurga

... Petitioner

Versus

1. Sub Divisional Officer and
Sub Divisional Magistrate,
Sawantwadi, Tal. Sawantwadi
Dist: Sindhudurga
2. The Collector, Sindhudurga,
Dist Sindhudurga
3. Additional Commissioner,
Konkan Division, Mumbai
4. The State of Maharashtra

... Respondents

**WITH
WRIT PETITION NO. 15555 OF 2023**

Jitendra Gangaram Jadhav

Age: 48 Yrs., Occ: Agriculturist

R/o. Aronda, Tal. Sawantwadi,

Dist. Sindhudurga

... Petitioner

Versus

1. Sub Divisional Officer and
Sub Divisional Magistrate,
Sawantwadi, Tal. Sawantwadi
Dist: Sindhudurga
2. The Collector, Sindhudurga,
Dist Sindhudurga
3. Additional Commissioner,
Konkan Division, Mumbai
4. The State of Maharashtra

... Respondents

**WITH
WRIT PETITION NO. 15554 OF 2023**

Mahesh Mohan Aroskar

Age: 46 Yrs., Occ: Agriculturist

R/o. Aaros (Gavthan) (Gavthanwadi),

Tal. Sawantwadi, Dist. Sindhudurga

... Petitioner

V/s.

1. Sub Divisional Officer and
Sub Divisional Magistrate,
Sawantwadi, Tal. Sawantwadi
Dist: Sindhudurga
2. The Collector, Sindhudurga,
Dist Sindhudurga
3. Additional Commissioner,
Konkan Division, Mumbai
4. The State of Maharashtra

... Respondents

**WITH
WRIT PETITION NO. 15553 OF 2023**

Nivrutti Keshav Gawas

Age: 45 Yrs., Occ: Agriculturist

R/o. House No. 42, Khalachiwadi,

Dongarpal, Post Kalane

Tal. Sawantwadi, Dist. Sindhudurga

... Petitioner

Versus

1. Sub Divisional Officer and
Sub Divisional Magistrate,
Sawantwadi, Tal. Sawantwadi
Dist: Sindhudurga
2. The Collector, Sindhudurga,
Dist Sindhudurga
3. Additional Commissioner,
Konkan Division, Mumbai
4. The State of Maharashtra

... Respondents

Mr. Mahesh V. Rawool for the Petitioner.

Mr. S. B. Kalel, AGP for Respondent-State.

**CORAM : A. S. CHANDURKAR &
FIRDOSH P. POONIWALLA, JJ.**
DATE : 20th DECEMBER 2023

Oral Judgement (Per A. S. Chandurkar J.):

1. Rule. Rule made returnable forthwith and heard by consent of the parties.
2. The learned Counsel for the Petitioner submits that in somewhat similar facts this Court in Writ Petition No.15550 of 2023 on 18.12.2023 permitted the said Petitioner to prosecute the Application for stay before the Additional Commissioner (Kokan Division), Mumbai and has further directed that the process initiated for filling in the post of “Police Patil” would be subject to the outcome of the said proceedings. A similar order is sought in these Writ Petitions.
3. Considering the similarity of facts that the Petitioners stand removed from the post of “Police Patil” and have challenged the same by filing a statutory appeal, the interest of justice would be served by issuing similar directions that were issued in Writ Petition No.15550 of 2023. Accordingly by adopting the reasons assigned in the said order, the following directions are issued:-

- (i) Within a period of three weeks from today, the petitioner's stay application, that has been preferred seeking stay of the order dated 2nd June 2023, shall be considered and decided on its own merits.
- (ii) Within a further period of three weeks from that date, the petitioner's appeal challenging the order dated 2nd June 2023 shall be decided on merits.
- (iii) The process initiated for filling-in the post of "Police Patil", due to the removal of the petitioner, would be subject to outcome of the appeal preferred by the petitioner.
- (iv) It is, however, made clear that the stay application shall be decided by the Additional Commissioner (Kokan Division), Mumbai on its own merits without being influenced by any observations made in this order. All points in that regard are kept open.
- (v) To enable the stay application to be considered, the petitioner shall appear before the Additional Commissioner (Kokan Division), Mumbai on 21st December 2023.
- (vi) Parties to act on the authenticated copy of this order.

4. Rule is disposed of in the aforesaid terms.

(FIRDOSH P. POONIWALLA, J.)

(A. S. CHANDURKAR, J.)