

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 4604 OF 2021

(The Maharashtra State Bharat Scouts and Guides Vs. Kiran Chintaman Lahane & Ors.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.

Court's or Judge's order

Ms. Neha Goenka h/f Shri Yatin Malvankar, Advocate for the petitioner.
 Shri S.N. Gaikwad, Advocate for respondent No.1.
 Shri S.M. Ghodeswar, Assistant Government Pleader for respondent Nos. 2 and 3/
 State.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 16, 2023

Challenge raised in this Writ Petition is to the order dated 25/8/2021 passed by the Maharashtra Administrative Tribunal while entertaining the Original Application preferred by respondent No.1. Respondent No.1 was holding the post of Junior Clerk at the Maharashtra State Bharat Scouts and Guides. He challenged the order of transfer dated 5/8/2021 before the Tribunal. By the impugned order, the Tribunal has directed the present petitioner to consider the representation dated 9/8/2021 that was made by respondent No.1. The petitioner is aggrieved by the said direction on the ground that the Tribunal has no jurisdiction to entertain the proceedings.

Time is being sought by the learned Counsel for the petitioner on the ground that the arguing Counsel is not available. The learned Counsel for respondent No.1 however submits that pursuant to the impugned order, the petitioner has joined at the place of transfer as per the joining report dated 7/9/2021.

We find that in these facts, no purpose would be served by entertaining the Writ Petition at this stage. By keeping the question of jurisdiction open for being raised in an appropriate case, the Writ Petition is disposed of. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A. S. CHANDURKAR, J.)