



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

74 WRIT PETITION NO. 852 OF 2024

SHUBHAM MOHAN VANJARE AND OTHERS

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS MINISTRY OF SKILL
DEVELOPMENT AND ENTREPRENEURSHIP AND OTHERS

.....Respondents

.....

Ms. Kamble Neha Bhimsen, Advocate for the Petitioner

Mr. R. S. Wani, AGP for the Respondents State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 23rd January, 2024

ORDER:

1. It is informed that after 14 years, the recruitment process has commenced. The Petitioner is already before the learned Maharashtra Administrative Tribunal in Original Application (St.) No. 63 of 2024. An urgent hearing was granted by the learned Tribunal to the Petitioner and an order was passed on 16.01.2024.

2. We have heard the extensive submissions of the learned Advocate for the Petitioner and have gone through the interim order.

3. Normally, we would loathe in interfering with an interlocutory order. The learned Tribunal has passed an equitable order, which reads as under: -

"(i) Issue notice to the respondents, returnable on 05.02.2024. In the meanwhile, if the appointments are issued, the same shall be subject to outcome of the present O.A.

(ii) Tribunal may take the case for final disposal at once and separate notice for final disposal shall not be issued.

(iii) Applicant are authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

(iv) This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

(v) The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicants are directed to file affidavit of compliance and notice.

(vi) The respondents shall preferably file the affidavit in reply on or before the next date; if not possible, the respondents shall at least place on record short affidavit of the competent authority explaining the parameters adopted in the process of equalization of marks. The copy of the same be provided to the learned counsel for the applicants in advance.

(vii) S.O. to 05.02.2024.

(viii) Steno copy and Hamdast is allowed to both parties."

4. The grievance of the Petitioner is that fresh appointments have already been made on 15.01.2024. We find that the learned Tribunal has already concluded that if any appointments are made, they would be subject to the result of the Original Application. We also find from clause (ii) reproduced above that the learned Tribunal is likely to hear the matter finally on the returnable date.

5. In view of the above, we do not find that there is any case for this Court to interfere with the interlocutory order.

6. **This Petition is, therefore, dismissed.**

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan