

S.R.JOSHI

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

WRIT PETITION NO.4385 OF 2023

Rajesh M. Tarvi

... Petitioner

Versus

Maharashtra Legislature Secretariat
& Others

... Respondents

Mr. Nitin Gangal with Mr. Ashok D. Kadam, Ms. Prerna Shukla and Ms. Prapti Karkera, for the Petitioner.

Ms. Shruti D. Vyas, Addl. G. P. with Ms. P. J. Gavhane, AGP for Respondent-State.

SMITA
RAJNIKANT
JOSHI

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CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 25th JANUARY, 2024

P.C.

We have heard Mr. Gangal, learned Counsel for the Petitioner and Ms. Vyas, learned Addl. Govt. Pleader for the Respondents.

2 This Petition is filed, praying for substantive reliefs in terms of prayer clauses (b) and (c). However, Mr. Gangal would fairly submit that the Petitioner would confine their Petition to prayer (e), which reads as under:-

“(e):- In the alternative to prayer clause (b) (c) above, this Hon’ble Court be pleased to direct the Respondents to dispose of the representations made by the Petitioner dated 06.09.2019, 01.11.2019, 12.02.2020, 23.02.2020, 05.03.2020 and 12.10.2022 made to various authorities including the Respondents herein in a time bound schedule and till such time, the Respondents be directed not to promote any candidate to the post of Joint Secretary.”

3 The grievance of the Petitioner is with regard to the non-application of the service roster in pursuance of the Government Resolution dated 29th March, 1997, which, according to the Petitioner, has resulted in denial of promotion to the Petitioner. In our opinion, the request made by Mr. Gangal is required to be accepted, considering the grievances as urged before us.

4 We accordingly direct the concerned authority to decide the representation of the Petitioner as expeditiously as possible, and, in any event, within a period of four weeks from the date a copy of the order be presented before the authority.

5 All contentions of the Petitioners on the merits of the Petitions are expressly kept open.

6 Writ Petition is disposed of in the above terms. No order as to costs.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI , J.)