

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13919 OF 2024

Shivaji Topu Rathod

...Petitioner

*Versus*

The State Of Maharashtra  
Thr. Addl Chief Secretary Department  
of Revenue And Forest & Ors.

...Respondents

Mr. Narendra Bandiwadekar, Senior Advocate a/w Mr. Vinayak Kumbhar, Mr. Rajendra Khaire, Mr. Aniket Phaple i/by Adv. Ashwini Bandiwadekar, Advocate for the Petitioner.

Mr. Abhijeet Naik, AGP for the Respondent Nos.1 & 2/State.

CORAM : RAVINDRA V. GHUGE  
&  
M.M. SATHAYE, JJ.

DATE :- 11<sup>th</sup> OCTOBER, 2024

**PER COURT :-**

1. The learned AGP places on record a copy of the order passed by the Revenue and Forest Department, Respondent No.1 herein, dated 10<sup>th</sup> October, 2024, by which the order of deputation issued to Respondent No.4 has been stayed, after realizing that the said post on which he was deputed, is not vacant and was already occupied by the Petitioner. The photostat copy of the said order is marked as **X-1** for identification.

Digitally signed  
by SUNNY  
ANKUSHRAO  
THOTE  
Date:  
2024.10.11  
18:50:30 +0530

2. The learned Advocate for the Petitioner submits that in these circumstances, the State Government should have actually withdrawn the order of deputation.

3. The learned AGP seeks time to take instructions.

4. List this Petition for passing order, on **15<sup>th</sup> October, 2024.**

**(M.M. SATHAYE, J.)**

**(RAVINDRA V. GHUGE, J.)**