

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 1517 OF 2024

(Bharat s/o. Ramkrushna Morey...Vs... The State of Maharashtra and another)

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

Court's or Judge's order

Mr. N.R. Tekade, counsel for petitioner,
Ms. N.P. Mehta, Addl.GP for respondent Nos. 1 and 2

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : MARCH 4, 2024

The contentions are the petitioner is non-suited in the employment on the ground that he was having three live children after 28.3.2006. As such, option of submitting preference was not made available to him.

2. Our attention is invited to birth certificates of the three children born to the petitioner. The petitioner's wife Mrs. Padma has given birth to triplets on 27.6.2011, and as such, it cannot be said that the petitioner can be said to be disqualified on the aforesaid count.

3. Issue notice to the respondents, returnable on 26.3.2024.

4. Learned Addl.GP Ms. N.P. Mehta, waives service of notice for respondent Nos. 1 and 2/State.

5. By way of ad interim order, since we are satisfied, we deem it appropriate to direct to the respondents to make available the preference option to the petitioner.

6. Such options made available to the petitioner shall be subject to final outcome of the present petition.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)