



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

203 WRIT PETITION NO. 5577 OF 2003

State of Maharashtra And Others
VERSUS

Bhikan Bapurao Shinde

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Mr. P. S. Patil, AGP for Petitioners.

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CORAM : ALOK ARADHE, C.J. AND
S. G. CHAPALGAONKAR, J.

Dated : March 20, 2025

PER COURT :-

1. In this petition, the petitioners *inter alia* prayed for the following reliefs :-

- "A. Record and Proceeding be called for.
- B. By issue of writ of certiorari or any other appropriate writ, the impugned judgment and order dated 12.8.2003 passed by the Learned Member, Maharashtra Administrative Tribunal, Bombay Bench at Aurangabad in Original Application no.129 of 2002, may kindly be quashed and set aside.
- C. Pending hearing and final disposal of the writ petition, the operation and execution of the impugned judgment and order dated 12.8.2003 passed by the Ld. Member, Maharashtra Administrative Tribunal, Bombay Bench at Aurangabad in Original Application No.129 of 2002 may kindly be stayed.
- D. And/or to grant any other relief, which deems just and proper under the facts and circumstances of the case."

2. Learned counsel for the petitioners submits that during pendency of this petition, respondent no.1. expired, and, therefore, amount in question cannot be recovered from his legal heirs.

3. It is further submitted that keeping question of law open to be agitated in appropriate proceeding, the Petition can be disposed off.

4. In view of the aforesaid submissions, keeping questions of law open to be decided in appropriate proceeding, Writ Petition is **disposed off**.

(S. G. CHAPALGAONKAR, J.)

(CHIEF JUSTICE)

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