

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14225 OF 2024

Jaywant Shamrao Jadhav

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Nikhil M. Pawar, for the Petitioner.

Mr. A.A. Alaspurkar, AGP, for Respondent - State.

CORAM : G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATE : 6 FEBRUARY 2025

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P.C.:

1. This petition is filed under Article 226 of the Constitution of India praying for the following substantive relief:-

“(b) To issue appropriate writ, order or direction in the like nature of Article 226 of the Constitution of India directing to the Respondent No. 2 to decide the appeal bearing 2022-2023/4734 filed by the Petitioner;”

2. Mr. Nikhil Pawar, learned counsel for the petitioner would at the very outset submit that his prayer is limited to the extent that the appeal of the petitioner, who is a sweeper, which is filed before the competent authority i.e. respondent no.2 and is pending, since 17/20 July 2020.

3. Mr. Pawar would state that the respondents are duly served which is apparent from the record.

4. A perusal of the reliefs sought and pressed in the petition by Mr. Pawar make it clear that the appeal of the petitioner preferred by him is pending adjudication, before the competent authority i.e. respondent no.2. Such pending appeal has to be decided by respondent no.2. There is no opposition to the petition.

5. In our view, no prejudice would be caused to the parties by passing the following order which would meet the ends of justice:-

ORDER

- (i) Respondent no.2 is directed to hear the parties and pass appropriate orders on the pending appeal of the petitioner, after hearing the parties on merits and in accordance with law. Such orders shall be passed as expeditiously as possible, not later than within a period of six weeks from the date this order is made available to the respondent no.2.
- (ii) All contentions of the parties are expressly kept open.
- (iii) Writ Petition is disposed of in the above terms. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]