

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13200 OF 2025**

Arif Amajadkhan PathanPetitioner

Vs.

The State of Maharashtra & Ors.Respondents

Mr. Gautam R. Kulkarni, i/b. Mr. Satyajeet A. Rajeshirke, for the
Petitioner.

Ms. T. J. Kapare, AGP, for the Respondents-State.

Mr. R. L. Chavan with Ms. Shivalli R. Chavan & Mr. Dhananjay V.
Rane, for the Respondent No.4.

CORAM : JITENDRA JAIN, J.

DATED : 27th DECEMBER 2025

(Vacation Court)

P.C.:-

1. Mr. Chavan, learned counsel is permitted to file vakalatnama on behalf of Respondent No.4.
2. After hearing the parties it appears that the issue involved in the present Writ Petition is whether contesting Respondent No.4 was justified in issuing a letter dated 3rd December 2025 terminating the contract with the Petitioner, since the Petitioner would be attaining the age of 58 years on 1st January 2026.
3. The learned counsel for the Petitioner has relied upon observations in judgment of Nagpur Bench of this Court in case of

***Harishkumar Ramanlal Oza & Ors. State of Maharashtra & Ors.*¹**

As per the learned counsel of Respondent No.4, the said decision was based on concession given by Deputy Registrar, Co-operative Societies. Therefore, the learned counsel for the Respondent states that it does not lay down the law and is not binding.

4. Without going into the merits of interim relief, I am of the view that balance of equity can be struck by passing the following order:

ORDER

- i) The present matter be listed before Regular Court on 5th January 2026 for hearing on ad-interim/interim relief.
 - ii) The age of 58 years of Petitioner comes into effect on 1st January 2026. The period between 1st January 2026 and 5th January 2026 is only of three days. Therefore, contesting Respondent No.4 will not given any work for these three days nor the letter dated 3rd December 2025 will be given effect to till 5th January 2026.
5. List this matter on **5th January 2026**.

(JITENDRA JAIN, J.)

1 Writ Petition No.6343 of 2013 dtd. 17th November 2014.