

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8012 OF 2024

Manjit Kaur Nelson & Anr.

...Petitioners

Vs.

Union of India & Anr.

...Respondents

Mr. Mihir Desai, Senior Advocate i/by Devyani Kulkarni a/w Pritha Paul for the
Petitioners.

Mr. Sachin Patil i/by Abhijeet Joshi for the Respondents.

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

DATE : 29 APRIL 2025

P.C.:-

1. Considering the settled principles of law as laid down by the Supreme Court in *L. Chandra Kumar Vs. Union of India & Ors.*¹ as also the orders passed by this Court in *Vijay Ghogare Vs. State of Maharashtra & Ors.*² reiterating these principles, in our opinion, the remedy for the petitioner to assail the impugned decision dated 25 April 2024 would lie with the Central Administrative Tribunal. The petitioner shall accordingly file appropriate proceedings within 8 weeks from today. If the same are filed, the proceedings be decided on their own merits and without an objection as to the limitation for the reasons that the petitioner was bonafide pursue the petition.

1 (1997) 3 SCC 261

2 2013 SCC OnLine Bom. 1764

2. All contentions of the parties are expressly kept open. Till appropriate interim orders are passed by the Central Administrative Tribunal in the proceedings which would now be filed by the petitioner, the ad interim protection granted by this Court in the proceedings of writ petition No.2344 of 2019 vide order dated 22 February 2019 and continued by a further order dated 11 March 2024, which we are informed continues even today, shall continue to operate for a period of three months and/or till an order is passed by Central Administrative Tribunal, whichever is earlier.

3. The writ petition is disposed of in the aforesaid terms.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]