

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11929 OF 2024

Sanjay Balwant Belekar

...Petitioner

Versus

The State Of Maharashtra And Ors

...Respondents

Adv. Tejesh Dande, for the Petitioner.

Ms. P.J. Gavhane, AGP for State.

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

DATE : 16 APRIL 2025

P.C.:

1. Mr. Dande, learned counsel for the petitioner fairly states that the cause of action would be required to be espoused by the petitioner before the Maharashtra Administrative Tribunal, considering the statutory position of law as laid down in the Constitution Bench judgment of the Supreme Court in **L. Chandra Kumar vs. Union of India and others**¹, another decision of the Supreme Court in **State of Uttar Pradesh and Another vs. Uttar Pradesh Rajya Khanij Vikas Nigam Sangharsh Samiti and Ors**² as also reiterated by this Court in the case of **Vijay Ghogare vs. State of Maharashtra and Others**³.

2. Accordingly, the petition is allowed to be withdrawn with liberty to approach the Maharashtra Administrative Tribunal.

3. All contentions of the parties are expressly kept open.

4. Disposed of. No costs.

[ADVAIT M. SETHNA, J.]

[G. S. KULKARNI, J.]

1. (1997) 3 SCC 261.

2. (2008) 12 SCC 675

3. 2013 SCC OnLine Bom 1764.