

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8640 OF 2024

Shafayatullah Kifayatullah Khan ... Petitioner

Versus

State of Maharashtra & Ors. ... Respondents

WITH
INTERIM APPLICATION NO. 12542 OF 2024
IN
WRIT PETITION NO. 8640 OF 2024

Barkatulla Ali Hasan Shaikh ... Intervener

In the matter between

Shafayatullah Kifayatullah Khan ... Petitioner

Versus

State of Maharashtra & Ors. ... Respondents

.....

Mr. Sandeep Mishra a/w. Mr. Madhura Mulay for the Petitioner.
Mr. Sandesh D. Patil a/w. Prithviraj Gole i/b Chintan Shah for the Intervener.
Mrs. Ashwini A. Purav, AGP for Respondent Nos.1 to 5.

CORAM : M. S. KARNIK AND
N. R. BORKAR, JJ.
DATED : 21st JULY, 2025.

P.C. :

1. Limited relief prayed for in this petition is for direction to respondent No.1 to decide the representation dated 29.12.2021. Learned counsel Mr. Patil appearing for intervener submits that such a representation is not maintainable. It is submitted that remedy of the petitioner is to file an appeal before the competent authority against the order/s in respect of which he has made the representation. It is open for the petitioner to

raise all such objections before respondent No.1.

2. We direct the respondent No.1 to look into the representation and take the same to its logical conclusion. Respondent No.1 shall hear the intervener in case, Respondent No.1 wishes to pass order adverse to the interest of intervener.

3. With these observations, the writ petition is disposed of.

4. Interim Application is also disposed of.

5. We have not adjudicated on the merits of the representation/Intervention Application.

6. All contentions of the parties are kept open.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)