

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 270 OF 2003

UTTAM ARJUN KAMBLE
VERSUS
STATE OF MAHA & ORS

...

Advocate for Petitioner : Mr. V P Golewar
AGP for Respondents 1 and 2: Mr. U.S. Mote
Advocate for Respondent No.4 : Mr. R.R. Suryawanshi

.....

**CORAM : A. V. NIRGUDE AND
V. K. JADHAV, JJ.**

DATED : 2nd FEBRUARY, 2015

P.C. :-

1. This petition challenges the suspension order passed by the employer of the petitioner on 23.10.2002. After filing of petition, this Court stayed the effect of suspension order and the petitioner did not suffer suspension and could continue his job. In the meanwhile, the petitioner reached to the age of superannuation and stood retired. He was even awarded provisional pension pending the disposal of this writ petition.

2. The learned counsel for the respondent No.4 stated that they are unable to start departmental enquiry etc. against the petitioner because they do not have relevant record. However, according to us, due to passage of time, the suspension order has lost its efficacy

and it deserves to be set side.

3. In view of the above, writ petition is allowed. The suspension order is set aside. The petitioner is entitled for pension as per Rules. Rule made absolute in the above terms.

(V. K. JADHAV, J.)

(A. V. NIRGUDE, J.)

rlj/