

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1384 OF 2005

Ramkrishna s/o Tukaram Wategaonkar

Petitioner

V E R S U S

Divisional Controller, Nanded
Division, Maharashtra State Road
Transport Corporation Nanded and two
others

Respondents

Mr. Sandeep Y. Mahajan, Advocate for the petitioner
None present for the respondents

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

DATE : 21st October, 2015

PER COURT :

1. This petition challenges order dated 9th January, 1993, holding him guilty for committing misconduct and awarding him penalty withholding of two increments permanently. The petitioner challenged this order before this Court by filing this petition. In the mean'time, the petitioner reached the age of superannuation. On perusal of the impugned order and earlier order, we find that the Departmental Enquiry was conducted as per the provisions of Rules applicable to the parties and an ample opportunity was given to the petitioner. The Enquiry Officer did not commit error in arriving at his conclusion. The only

question that could be discussed here is, whether the quantum of sentence is disproportionate to misconduct too. Having regard to the facts of the case and the implication of the penalty awarded to the petitioner, we do not consider that it was disproportionate misconduct. The petition, therefore, cannot succeed. In view of above, Writ Petition stands dismissed.

(V.K. JADHAV, J.)

(A.V. NIRGUDE, J.)

SRM/21/10/15