

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6707 OF 2015

SURESH KHANDU THORAT
VERSUS
UNION OF INDIA AND OTHERS

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Mr. Borkar V.S. : Advocate for Petitioner.
Mr. B.B. Kulkarni, ASG for Respondents.

CORAM : S.S. SHINDE & A.M. BADAR,JJ.
DATE : 23rd SEPTEMBER,2015.

PER COURT:

1] This petition takes exception to the order dated 30.10.2011, passed by the respondent, retiring the petitioner compulsorily.

2] Counsel for petitioner submits that the impugned order is passed without hearing the petitioner. It is submitted that no reasons are assigned in the impugned order and, therefore, the order suffers from non adherence to the principles of natural justice.

3] On the other hand, counsel for respondent Nos. 1 to 3 invited our attention to the averments in the affidavit in reply and submits that the impugned order is passed after assessing the service record of the petitioner and after taking review. He further submits that the impugned order is not by way of punishment.

4] We have considered the submissions of counsel for petitioner and the respondents, perused the affidavit in reply. In our opinion, respondent No.3 is entitled to take review and peruse the service record and take decision. As already observed, in reply filed by respondent Nos. 1 to 3, it is stated that premature retirement is not punishment. In that view of the matter, we do not see any reason to invoke writ jurisdiction and interfere in the impugned order.

5] Writ petition stands disposed of.

[A.M. BADAR, J]

[S.S. SHINDE, J]

grt/-