

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 6940 OF 2013

WAMANRAO KISHANRAO WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. S.K.Patil

AGP for Respondents: Mrs.S.A.Dhumal.

Advocate for Respondent No.3 : Mr. Bora Satyajit S.

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CORAM : **S. V. GANGAPURWALA and
V. L. ACHLIYA, JJ.**

DATE : 02nd March, 2015.

P.C.:

. Mr.Patil, learned counsel submits that the Petitioner had filed a revision on 9th October, 2006, against the order reducing the pay scale of the Petitioner (Exhibit - 'E'). The said revision is not yet decided.

2 Learned AGP, on instructions, submits that during the fire, the record was burnt. As such, the said record is not available. The Petitioner may file a fresh revision, which would be considered by the Authorities.

3 Mr.Patil, learned counsel further submits that the order impugned is *per-se* illegal.

4 In view of the fact that the Petitioner has an alternate remedy in revision, we are not entering into the contentions raised by the learned counsel for the parties.

5 Considering the above, we pass the following order:

- I. The Petitioner may file a fresh revision against the order dated 26th July, 2006 (Exhibit - 'E').
- II. On revision being filed, the Respondent – Authority shall decide the said revision, on its own merits, in accordance with law, expeditiously, preferably within three months from the date of receipt of the revision.
- III. In case, the said revision is filed within four weeks from today, the question of limitation would not arise.
- IV. All contentions of the learned counsel for the parties are kept open.
- V. Accordingly, the writ petition is disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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