

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1296 OF 2015**

Shri Shyam Pandurang Thorbole

....Petitioner.

Vs.

The State of Maharashtra &amp; Ors.

....Respondents.

Mr. M.S. Karnik I/by Mr. Sachin Gite for the Petitioner.

Mr. V.N. Sagare, AGP for Respondent No.1.

Mjr. Mandar Limaye for Respondent No.2.

**CORAM : ANOOP V. MOHTA AND****A.A. SAYED, JJ.****DATE : 3 SEPTEMBER 2015.****ORDER:-**

Rule. Rule is made returnable forthwith.

Heard finally, by consent of the parties.

2           We are inclined to disposed of the present Writ Petition by directing Respondent No.2-Corporation to take decision on suspension issue which is pending since 24 January 2013 and as the Commissioner has already granted sanction under the Bombay Provincial Municipal Corporations Act, 1949 (for short, "the BPMC Act") and has informed the same to the Corporation on 24 January 2014 and the same is still pending.

3           Therefore, considering overall view of the matter,  
including the scheme and purpose of Sections 53 and 56 of the BPMC  
Act, by keeping all points open and to avoid further delay, we are  
inclined to direct the Respondent Corporation to take decision as early  
as possible, preferably within six weeks from today, as the Petitioner is  
retiring on 31 January 2016.

4           Writ Petition is disposed of.

5           Rule disposed of accordingly. There shall be no order as to  
costs.

**(A.A. SAYED, J.)**

**(ANOOP V. MOHTA, J.)**

### CERTIFICATE

“I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.”

Uploaded by :- Sanjiv S. Mashalkar,  
Private Secretary, to Hon'ble Judge.

Uploaded on :- 5 September 2015.