

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1926 OF 2016

Pathan Akhtarkhan Usmankhan

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

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Mr. Vasant B. Patil and Mr. R.I. Wakade, Advocates for petitioner.

Mr. D.S. Bagul, Advocate for Respondent Nos.2 to 6.

Mr. D.V. Tele, AGP for Respondent No.1.

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 17th FEBRUARY, 2016

ORAL ORDER :

1. The petitioner seeks liberty to withdraw this petition and address the mind of Respondent No.4 on the second show cause notice dated 25.01.2016.

2. Mr. Bagul, learned Counsel for Respondent Nos.2 to 6 submits that the petitioner has submitted his reply on 16.02.2016. Respondent No.4 is the competent authority to take a final decision in the light of the charge-sheet dated 30.07.2014, enquiry officer's

report dated 25.01.2016 and the reply of the petitioner dated 16.02.2016. The petitioner also has liberty to lodge an appeal before the second appellate authority under the Discipline and Appeal rules.

3. In the light of the above, this petition is disposed of as having been withdrawn. Needless to state, Respondent No.4 is expected to apply its mind to the fact situation and pass a reasoned order considering the contentions of the petitioner. It felt necessary, Respondent No.4 is at liberty to grant a personal hearing to the petitioner.

(RAVINDRA V. GHUGE, J.)