

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3761 OF 2016

Balaji Haribhau Kachawe ..Petitioner

versus

The State of Maharashtra
and ors. ..Respondents

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Mr.J.G.Toshniwal, advocate for petitioner

Mr.B.V.Virdhe, AGP for respondents - State

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**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : APRIL 05, 2016**

PER COURT :

Heard.

2] We are satisfied with the reasons recorded by the Maharashtra Administrative Tribunal in the impugned judgment that, the charge sheet was served upon the petitioner when he was in service.

3] The contention of the petitioner that, the day on which the charge sheet was served upon him, was

his last day in the employment of the respondents and even the charge sheet was served after the office hours were over, is concerned, we do not think that this Court can enter in the said disputed questions of facts, when we are satisfied with the reason given by the Maharashtra Administrative Tribunal that, the charge sheet was served upon the petitioner when he was in the employment of the respondents.

5] It is the contention of learned counsel for the petitioner that, the charges against the petitioner relate to the period prior to four years of serving the charge sheet and therefore, in view of the relevant rules, no inquiry is permissible after four years.

6] However, upon careful perusal of the grounds taken in the Original Application or judgment of the Maharashtra Administrative Tribunal, we do not

find that the petitioner had taken said ground in the Original Application or it was argued before the Maharashtra Administrative Tribunal.

7] Therefore, in our considered view, no interference is warranted in the impugned judgment passed by the Maharashtra Administrative Tribunal.

8] Hence, the Writ Petition is rejected.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

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