

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

RAST NO.35899 OF 2015
IN
W.P.NO.655 OF 2015.

Atul S/o Dinesh Kulkarni Vs. The State of Maharashtra and others.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mrs.Pratibha Bharad, advocate for the Petitioner.
Mr.V.D.Rakh, A.G.P for the State.

**CORAM : S.V.GANGAPURWALA AND
V.K.JADHAV, JJ.**
Date : 15.01.2016.

PER COURT :

1. Heard.
2. Mrs.Bharad, learned counsel for the petitioner submits that this Court while dismissing the Writ Petition has not considered the fact that prior to the issuance of termination order, the petitioner was not heard. The principles of natural justice are not followed. The learned counsel relies on the judgment of the Allahabad High court in a case of **“Pirthwinath Chowdhry Vs. State of Uttar Pradesh”** reported in **1958 CJ (All) 141**. The learned counsel further submits that even the period of contract was not over. Twice

extension was granted to the petitioner. The work of the petitioner was satisfactory.

3. We have heard learned A.G.P also.

4. While disposing of the Writ Petition, we had observed that the petitioner was appointed on contract basis for one year only and thereafter was granted extension. Prior to terminating the petitioner, four time notices/warning were issued to the petitioner for non-attendance of important meetings, non-observance of duties, absence of the duties without permission, non-performing tender procedure. Thereafter, even the representation of the petitioner was decided and communicated to the petitioner. The petitioner was not a permanent employee. He was appointed for a fixed period and when the matter was decided, the said period was also over.

5. Considering the above, no error apparent on the face of record. Review Petition is disposed of. No costs.

(V . K . JADHAV , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.01.2016.
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