

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.790 OF 2016
IN
WRIT PETITION NO.12899 OF 2015
AND
CONTEMPT PETITION (ST) NO.314 OF 2016
ALONGWITH
CIVIL APPLICATION NO.791 OF 2016
IN
WRIT PETITION NO.12898 OF 2015
AND
CONTEMPT PETITION (ST) NO.315 OF 2016**

Ganpat Anant Oraskar	...	Petitioner
Versus		
Divisional Controller And Others	...	Respondents

.....

Mr. Sachin K. Hande for the Petitioner/Applicant.
Mr. G.S. Hegde for Respondent Nos. 1 and 2.

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CORAM : S.C.GUPTE, J.

DATE : 26 APRIL 2016.

P.C. :

. Heard Learned Counsel for the parties.

2 It is agreed between the both Counsel that the petitions can be disposed of without indicating reasons in the order. Accordingly, the petitions are disposed in terms of the following order.

: O R D E R :

- (a) The impugned order of dismissal from services of the Applicant-Petitioner passed by Respondent No.1 is set aside and the Applicant-Petitioner is directed to be reinstated in services;
- (b) Respondent No.1-Corporation shall pay the back wages of the Applicant-Petitioner with effect from the date of his dismissal until reinstatement;
- (c) The main petitions, namely, Writ Petition No.12899 of 2015 and Writ Petition No.12898 of 2015, are disposed of by reserving liberty unto the Petitioner to challenge the final order that may be passed on the disciplinary inquiries by Respondent No.1-Corporation on the grounds urged in the petitions herein and keeping the rights and contentions of both parties open;
- (d) The Petitioner shall submit replies to the show-cause notices dated 7 October 2008 and 29 April 2009, latest by 9 May 2016;
- (e) Respondent No.1-Corporation shall consider the replies on their own merits, without in any way being influenced by this order;
- (f) Both Petitions, namely, Writ Petition No.12899 of 2015 and Writ Petition No.12898 of 2015 as also Civil Application No.790 of 2016 and Civil Application No.791 of 2016, and Contempt Petition (St.) No.314 of

2016 and Contempt Petition (St.) No.315 of 2016 are disposed of. No order as to costs.

(S.C.GUPTE, J.)