

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

***WRIT PETITION NO. 7345 OF 2015***

1. Thane Municipal Corporation, Thane.
2. The Commissioner,  
Thane Municipal Corporation, Thane. ... Petitioners

v/s

Ramkrishna Kisan Patil, Thane. ... Respondent

Mr.N.R.Bubna for the petitioners.

Mr.Ravindra B. Nair for the respondent.

***CORAM: N.M. JAMDAR, J.***

***DATED : 24 FEBRUARY 2016***

***P.C.:***

Learned counsel for the Respondent, after arguing the matter for some time, on instructions states that all the points sought to be raised by the Respondent be kept open in case the Petitioner Corporation proceeds to impose punishment pursuant to the show cause notice dated 20 July 2009 and is agreeable to set aside the impugned order passed by the Industrial Court, Thane. The learned counsel for the Petitioner agrees.

2 In view of the consensus between the learned counsel for the

parties, the writ petition is disposed of by quashing and setting aside the order dated 12 December 2014. In case the Petitioner Corporation takes action against the Respondent on the basis of the show cause notice dated 20 July 2009, it will be open to the Respondent to challenge the same as per law and on its own merits.

3     Learned counsel for the Respondent states that, annual increments of the Respondent have been withheld, which are not connected with the show cause notice. It will be open to the Respondent to make appropriate representation to the Petitioner Corporation and the Petitioner Corporation will consider the same as per law.

4     All contentions of the parties on merits as regard the action, if taken by the Petitioner Corporation, are kept open.

5     The writ petition is disposed of in above terms.

*( N. M. JAMDAR, J. )*