

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 441 OF 2014**

M. Bharathi Raja

....Petitioner.

Vs.

Union of India & Ors.

....Respondents.

Mr. Sandeep V. Marne for the Petitioner.

Mr. Suresh Kumar a/w Arun Kumar Roy for the Respondents.

**CORAM : ANOOP V. MOHTA AND
PRAKASH D. NAIK, JJ.****DATE : 29 JULY 2016.****ORDER:-**

Upon hearing the learned counsel appearing for the parties, we are inclined to dispose of the present Writ Petition as though the Petitioner is selected and appointed, on probation, on the post of Constable (GD) in CRPS on 31 January 2012, he was absent for more than 1½ month, which was also without proper intimation as required, though the case/document of his aunt's (mother's sister) illness is placed on record. But considering the circumstances and the nature of duty, apart from the nature of appointment so made and for the facts and reasons so recorded by the Authority, which confirmed by the Appellate Authority on 14 May 2013, thereby, rejected the

request to entertain/accept the defence so raised by the Petitioner and even otherwise, taking over all view of the matter and the reasons so given by the Authorities, including the Appellate Authority, we see there is no perversity and/or any illegality committed by the Respondents, while passing the order of discontinuing the services of the Petitioner.

2 Therefore, taking overall view of the matter, we are not inclined to accept the case of the Petitioner. Writ Petition is accordingly dismissed. There shall be no order as to costs.

(PRAKASH D. NAIK, J.)

(ANOOP V. MOHTA, J.)