

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5034 OF 2014

(Ramakant Dilip Dake
vs.
Collector, Amravati and others)

=====

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

=====

Court's or Judge's Orders

CORAM : Z.A. HAQ, J.

DATE : 5th FEBRUARY, 2016.

Heard Shri Anjan De, learned Advocate for the petitioner, Mrs. Rashi Deshpande, learned Assistant Government Pleader for respondent Nos.1 and 2 and Shri A.S. Kilor, learned Advocate for respondent No.3.

The petitioner has filed this writ petition making the grievance that the directions given by the learned Collector by the order, dated 15/03/2014, for conducting the enquiry, adversely affects the petitioner as he had been working as Chief Officer of the Municipal Council.

Respondent No.1-Collector, Amravati has filed an affidavit sworn by the present Chief Officer of Municipal Council, who is authorized by the Collector, Amravati. In this affidavit, it is stated that the enquiry directed by the learned Collector by the impugned order is not specifically against Shri Ramakant Dilip Dake (Petitioner).

In view of the submission made by the respondent No.1-Collector, Amravati, the petition filed by the petitioner cannot be entertained as there is no cause of action in his favour, at present. It is clarified that further course of action will depend upon the outcome of the enquiry. This order does not mean that action is not to be taken against Shri Ramakant Dilip Dake (Petitioner), if something is found against him in the enquiry. It is further clarified that Shri Ramakant Dilip Dake (Petitioner) will be at liberty to raise appropriate challenge at appropriate stage, if required and if so advised.

The petition is disposed in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE

**sandesh*