

**IN THE HIGH COURT OF JUDICATURE AT
BOMBAY
BENCH AT AURANGABAD.**

**WRIT PETITION NO.10638 OF 2016
WITH
CIVIL APPLICATION NO.1445 OF 2017
IN
WRIT PETITION NO.10638 OF 2016.**

Dr.Santosh S/o Sudhakar Rao
Kulkarni. ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.R.S.Deshmukh, advocate for the petitioner.
Miss.R.P.Gaur, A.G.P. for the State.
Mr.P.G.Rodge, advocate for Respondent Nos.2 and
3.
Mr.C.R.Thorat, advocate for applicant.
...

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

Date : 10.04.2017.

PER COURT :

1. Heard.

2. Mr.Rodge, learned counsel for

Respondent Nos.2 and 3 submits that the petition is premature. Only Resolution is passed. The decision has not yet been taken reverting the petitioner. Before taking any decision about reversion of the petitioner, the petitioner would be issued show cause notice by the Respondents calling for its reply from the petitioner and thereafter only decision would be taken. Learned counsel further submits that in case the decision goes against the petitioner, the petitioner has remedy of appeal.

3. In light of that, we are not entering into the merits of the contentions of the either of the parties. The inquiry it is said is conducted. The same naturally has to be taken to its logical end. As statement is made by the learned counsel for Respondent Nos.2 and 3 that before taking decision, show cause notice would be issued to the petitioner, his reply would be solicited and thereafter decision would be taken. The said statement is accepted.

4. In case the decision of Respondent

Nos.2 and 3 goes against the petitioner, then the said decision shall not take effect for a period of ten (10) days from the date of receipt of the order, so as to enable the petitioner to avail the remedy under the Statute/Rules and seek appropriate orders from the said authority. Needless to state on lapse of ten (10) days, the protection granted by this Court would come to an end.

5. All contentions of respective parties kept open.

6. The Writ Petition is disposed of. No costs.

7. In view of disposal of Writ Petition, the Civil Application also stands disposed of.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

