

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

909 WRIT PETITION NO. 2179 OF 2017

NAYABRAO BHIVSAN ZANJAL
VERSUS
AURANGABAD MUNICIPAL CORPORATION THROUGH ITS CHIEF
OFFICER AURANGABAD

...

Advocate for Petitioner : Mrs. Naseem R. Shaikh
Addl.GP for Respondents: Mrs. M. A. Deshpande

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 23rd February, 2017

ORDER:

1. We have heard Mrs. Shaik, the learned counsel for the petitioner.

2. The learned counsel submits that after the departmental enquiry, the petitioner was dismissed from service. Against the said order of dismissal, the petitioner has filed Writ petition No. 4885/2009. The same is admitted by this Court and is pending. The learned counsel submits that subsequently, the petitioner has been acquitted from the criminal trial and now the petitioner seeks pension. The same has been refused to the petitioner.

3. Unless the order terminating the petitioner is set aside, the petitioner would not be entitled for the

prayer made in the present writ petition. The petitioner may agitate this aspect in Writ Petition No.4885/2009 which is pending and in which the order of termination is assailed,

4. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC