

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

WRIT PETITION NO.12395 OF 2016

Subhash Gopinath Chavan,
Age : 60 years, Occ. Retired,
Khandsari Area, Kannad,
Dist. Aurangabad ..Petitioner

Vs.

The State of Maharashtra,
Through : Secretary,
Public Works Department,
Mantralaya, Mumbai – 32
and others ..Respondents

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Mr.S.G.Kulkarni, Advocate for petitioner

Mr.A.R.Kale, AGP for State

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.
DATE : FEBRUARY 22, 2017**

PER COURT :

Heard.

2. This petition is filed on the basis of the interim order dated 13.01.2009 passed by this Court in Writ Petition No.6779 of 2008.

3. It is the case of the petitioner that by the afore-said order, this Court had stayed the execution and implementation of the order passed by respondent no.1, inflicting punishment to the petitioner of withholding increment for a period of two years with future effect and recovery of Rs.2,19,245/- from the petitioner.

4. It is the case of the petitioner that the afore-said order dated 13.01.2009 has not been implemented.

5. It appears that vide order dated 29.11.2013 passed in Writ Petition No.6779 of 2008, the said Writ Petition was disposed of as withdrawn and the Rule was discharged. In view of this, it cannot be said that the interim order dated 13.01.2009 passed by this Court remained in force and it was necessary for the respondents to implement the said order.

6. In the circumstances, the Writ Petition stands dismissed.

[SANGITRAO S. PATIL, J.]

[T.V. NALAWADE, J.]

kbp