

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

Writ Petition No. 12520 of 2016

District : Latur

Shri Baburao s/o. Siddhapa Almale,
Age : 62 years,
Occupation : Pensioner,
R/o. Sapoli, Taluka Chakur,
District Latur.

.. Petitioner.

versus

1. The State of Maharashtra,
through its Secretary,
Social Administrative
Department,
Mantralaya, Mumbai - 32.
2. The Account Officer,
Zilla Parishad, Latur.
3. The Chief Executive Officer,
Zilla Parishad, Latur.
4. The Chief Executive Engineer,
Irrigation Department,
Water Supply,
Zilla Parishad, Latur.

.. Respondents.

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*Mr. K.M. Nagarkar, Advocate, holding for
Ms. Smita S. Kulkarni & Mr. B.U. Hosamath,
Advocates, for the petitioner.*

*Mr. S.W. Munde, Asst. Government Pleader, for
respondent no.01.*

*Mr. A.V. Hon, Advocate, for respondent
nos.02 to 04.*

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**CORAM : S.V. GANGAPURWALA &
SMT. VIBHA KANKANWADI, JJ.**

DATE : 01ST NOVEMBER 2017

ORAL ORDER :

01. The petitioner is challenging the action of the respondent, reducing his basic pay.

02. The learned Counsel for respondent nos.02 to 04 submits that the petitioner has remedy of appeal under rule 14(1)(a) of the Maharashtra Zilla Parishad District Services (Discipline & Appeal) Rules, 1964.

03. In the light of that, though Mr. K.M. Nagarkar, learned Counsel appearing for the petitioner, sought to canvass submissions on merit, we are not inclined to entertain the writ petition.

04. The petitioner shall be at liberty to prefer appeal before appellate authority. If appeal is filed, all respective contentions are kept open. The appellate authority shall consider the time spent by the petitioner in prosecuting the present petition.

05. With liberty as indicated above, the writ petition is disposed of. No costs.

**(Smt. Vibha Kankanwadi)
JUDGE**

**(S.V. Gangapurwala)
JUDGE**