

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

WRIT PETITION NO. 10111 OF 2013

Appasaheb s/o Pirtaji Chopde,
Age 43 years, Occu. Service,
R/o Rahuri (Kd) Taluka Rahuri,
District Ahmednagar

..Petitioner

Versus

1. The State of Maharashtra,
through Secretary,
General Administration
Department, Mantralaya,
Mumbai

2. Registrar,
Mahatma Phule Krishi Vidyapeeth,
Rahuri, District Ahmednagar

..Respondents

Mr P.B. Patil, Advocate for petitioner

Mrs P.V. Diggikar, A.G.P. for respondent no.1

Mr G.R. Jadhav, Advocate h/f Mr A.S. Shelke, Advocate for respondent
no.2

**CORAM : R.M. BORDE AND
A.M. DHAVALA, JJ**

DATE : 18th July 2017

ORAL JUDGMENT (Per R.M. Borde, J.)

1. Rule. Rule returnable forthwith. With the consent of parties, petition is taken up for final disposal at admission stage.

2. The petitioner is objecting to the notice issued by the respondent no.2 on 12th November 2013 calling upon him to show-cause as to why action shall not be taken against him on account of registration of a crime at Police Station, Rahuri against him.

3. The petitioner contends that he has been acquitted of the charge levelled against him in Criminal Case No.261 of 2009 by judgment and order dated 15th October 2016. In view of the acquittal

recorded, it would not be permissible for the department to take action of termination against him and as such, the notice of termination issued on 12th November 2013 is rendered redundant. In identical circumstances, this Court dealing with Writ Petition No. 7937 of 2012 and other companion matters, in one of the petition arising out of the same crime, directed quashment of notices of termination issued against the concerned petitioners.

4. In view of the reasons recorded while disposing of Writ Petition No.7937 of 2012 and other companion petitions, the instant petition deserves to be allowed and same is accordingly allowed. The notice of termination issued against the petitioner on 12th November 2013 stands quashed and set aside.

5. Rule is made absolute to the extent as specified above. There shall be no order as to costs.

(A.M. DHAVAL, J.)

(R.M. BORDE, J.)

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