

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4517 OF 2017**

Sanjay K. Gawande

..Petitioner

Vs

The Commissioner,

Thane Municipal Corporation and ors.

..Respondents

Mr. S.S. Deshmukh for the Petitioner.

Mr. J. Shekhar i/b M/s. J. Shekhar & Co. for Respondent No.1.

Mr. Sandip Babar, AGP for the Respondent - State.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 1, 2017.

P.C. :

. Not on board. In view of urgency, taken on production board.

2] The grievance of the petitioner is that his application for grant of voluntary retirement has been rejected vide order dated 12th August 2016 (Exhibit – N) by respondent No.2-Municipal Corporation, Thane, on the ground that the decision in regard to “the suspension period” after completion of the enquiry in which he has been ordered to be reinstated is required to be taken.

3] The said order has been passed on 12th August 2016. It

appears that till date the decision in regard to the suspension period has not been taken. We feel that it was necessary for the respondent - Corporation to have taken the decision, at the earliest, in regard to suspension period, when the petitioner has already been ordered to be reinstated.

4] Keeping in view of the fact that enquiry has already been completed and now the petitioner has been reinstated, we direct the respondent - Corporation to take decision in regard to the petitioner's suspension period, if not already taken, as expeditiously as possible, but not later than two months from the date of receipt of the copy of this order. On such decision being taken by the respondent - Corporation is further directed to reconsider the petitioner's application for voluntary retirement and take appropriate decision, in accordance with law, as expeditiously as possible, but not later than two months thereafter.

5] With the aforesaid directions, this petition is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)