

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 8705 OF 2017**

Saquib Nazir Kharbe

...Petitioner

VS.

Bhiwandi Nizampura Municipal Corporation
and anr.

...Respondents

Mr. Chetan Agarwal for the Petitioner.

Mr.N.R. Bubna for the Respondent Corporation.

**CORAM : SHANTANU KEMKAR &
M.S. SONAK, JJ.
AUGUST 03, 2017****P.C.:**

Not on board. Taken on production board in view of the urgency.

2. We find that the petition has been filed at the stage of show cause notice. The Municipal Commissioner, respondent no.1 has issued the impugned notice of which the petitioner has already submitted a reply. In the circumstances, we are not inclined to interfere into the matter. However, as we have been pointed out by the learned counsel for the petitioner that the petitioner has not been paid subsistence allowance since November, 2015, we direct the Commissioner to look into this aspect of the matter and if the subsistence allowance has not been paid to the petitioner, the same be paid to him within fifteen days from

today. The decision on the petitioner's reply to the show cause notice be taken within two months from the date of the appearance of the petitioner before the Commissioner and after giving opportunity of personal hearing to the petitioner. Petitioner to appear before the Commissioner on 29th August, 2017 at 11.00 am.

3. With the aforesaid directions, petition is disposed of.

(M.S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)