

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 9101 OF 2015**

Raju H. Kukde

..Petitioner

Vs

State of Maharashtra and ors.

..Respondents

Mr. R.K. Mendadkar for the Petitioner.

Mr. S.B. Kalel, AGP for Respondent Nos.1 and 2 (State).

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.****DATE : JUNE 6, 2017****P.C. :**

. We find that in this petition, the petitioner has challenged the show cause notice dated 3rd August 2015. Admittedly, the petitioner has filed a reply to the said show cause notice.

2] Learned counsel for the petitioner submits that in the reply to the said show cause notice, the petitioner has relied upon Full Bench judgment of this Court in case of *Arun Sonone Vs. State of Maharashtra - 2015 (1) Mh.L.J. 457* as also in case of *Shalini Vs. New English High School Association - 2013 (16) SCC 526*. Thus according to the petitioner, in view of the aforesaid judgments, the

petitioner's services cannot be terminated as proposed in the show cause notice.

3] Learned AGP submits that the petition being highly premature, the same may be dismissed and the competent authority be allowed to pass an appropriate order after considering the reply filed by the petitioner to the said show cause notice.

4] Having considered the submissions made by learned counsel for the parties and keeping in view of the fact that the petition has been filed merely at the stage of show cause notice, we are inclined to dispose of this petition by directing respondent No.3 to take appropriate decision on the said show cause notice, keeping in view of the grounds and contentions raised by the petitioner in reply to the said show cause notice.

5] Let the decision as aforesaid be taken by respondent N0.3, as expeditiously as possible and preferably within two months from the date of receipt of copy of this order.

6] Needless to say that the reasoned order in regard to the reply to the show cause notice filed by the petitioner be passed.

7] With the aforesaid directions, the petition is disposed of .
The interim order, if any, stands vacated.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)