

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

WRIT PETITION NO. 370 OF 2018

**DEVENDRA TUKARAM KATKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Miss P.S.Talekar h/f. Talekar & Associates, Advocate for petitioner.

Mr.A.B.Girase, Government Pleader for respondent/State.

**CORAM : S.S.SHINDE &
S.M.GAVHANE, JJ.**

DATED : 23.01.2018

P.C. :-

1. Learned Counsel appearing for the petitioner on instructions submits that the petitioner has filed appeal taking recourse to the provisions of Rule 18 of the Maharashtra Civil Services (Discipline and Appeal) Rules. Learned Counsel for the petitioner prays that appellate authority may be directed to decide the said appeal expeditiously, within four weeks.

2. Learned Government Pleader appearing for respondent No.1, on instructions, submits that stay application will be decided by the Appellate Authority within two weeks from the date of receipt of order and further appeal within three months.

3. Learned Counsel appearing for the petitioner, on instructions, seeks permission to withdraw this petition with liberty to raise all the contentions raised in this petition before the Appellate Authority. The petition is dismissed as withdrawn with liberty as prayed for.

4. We make it clear that we have not entered upon merits of rival contentions raised by the parties. In the light of statement made by learned Government Pleader appearing for respondent No.1, we hope and expect that the Appellate Authority will decide the appeal as expeditiously as possible, however, within three months from today. Needless to observe that the Appellate Authority will afford reasonable opportunity of hearing to the petitioner.

[S.M.GAVHANE, J.]

[S.S.SHINDE, J.]