

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

WRIT PETITION NO. 9884 OF 2017

Avinash Sunil Mojage .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. N.J. Patil, Advocate for Petitioner.

Shri. K.N. Lokhande, A.G.P. for Respondent No.1.

Shri. U.B. Bondar, Advocate for Respondent Nos. 2 to 4.

**CORAM : S.V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATED : 12th February, 2018

PER COURT:

. The petitioner assails the order removing as a Gram Rojgar Sevak.

2. Mr. Patil, the learned advocate for the petitioner submits that without any reason action has been taken removing the petitioner from his post of Gram Rojgar Sevak. The learned counsel submits that even

the procedure as laid down in the G.R. dated 22.01.2014 is not followed. The enquiry report of Extension Officer was never placed before the Gramsabha nor it was given to the Gramsevak. In absence of the report of the Extension Officer, decision could not have been taken by the Gramsabha. The learned advocate relies on the certificate issued by the Gramsevak stating that the report of the Extension Officer was not placed before the Gramsabha and only the letter of Block Development Officer was received.

3. Mr. Bondar, the learned advocate for Zilla Parishad, submits that the petitioner is not an employee. He only receives honorarium. The procedure as laid down under G.R. dated 22.01.2014 is followed so also 02.05.2011. The Block Development Officer had given the report of the Extension Officer to the Gram Panchayat and the removal of the petitioner is in the Gramsabha.

4. We have considered the submissions. The petitioner it appears was not holding any civil post. He was only on honorarium. The procedure for removal is laid down in the G.R. dated 22.01.2014 and May 2011. The letter issued by the Block Development Officer to the Gram Panchayat on 20.05.2016 refers to the report of the Extension Officer being forwarded

along with the letter. The notice was also given to the petitioner. The reply from the petitioner was solicited. The petitioner gave reply and the same was placed in the Gramsabha. The Gramsabha unanimously decided for removal of the petitioner for the defaults committed by the petitioner.

5. In view of the above writ petition is sans merit.

6. The writ petition is dismissed. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]