

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

WRIT PETITION NO. 7680 OF 2015

Mannu Thawara Chavan .. Petitioner
Versus
The State of Maharashtra and others .. Respondents

Shri Narayan B. Narwade, Advocate for the Petitioner.
Shri A. V. Deshmukh, A.G.P. for Respondent Nos. 1 to 5.

**CORAM : S. V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATE : 06TH JUNE, 2018.

FINAL ORDER :

. Mr. Narwade, the learned counsel for the petitioner submits that, the Tribunal while dismissing original application of the petitioner did not consider discrimination meted out to the petitioner. The petitioner was promoted as P.S.I., but is made to retire from a lower post. The same is erroneous and does not stand to any reason. One Mr. Landge, who was similarly situated, was allowed to retire from the post on which he was sent on deputation. According to the learned counsel, this aspect has not been properly considered. The petitioner had filed original application even before his retirement. This aspect needs to be considered.

2. The learned Assistant Government Pleader supports the order and submits that, Mr. Landge when he retired was officiating the post on which he was deputed. The petitioner was also imposed

punishment. Six persons were sent on deputation including the petitioner and all other five have retired from their original establishment.

3. We have considered the submissions canvassed by the learned counsel for respective parties. We have also gone through the judgment delivered by the Tribunal.

4. It has been observed that in all six employees including applicant here were sent on deputation on the higher post and upon conclusion of the deputation period, they were sent to their original establishment by order dated 05.07.2014. As such on the date on which the petitioner retired, he was working on his original establishment and not on the post on which he was deputed. The petitioner, it also appears was punished with a fine. As far as Mr. Landge is concerned, it is stated that, he retired when he was officiating the promotional post on deputation.

5. Considering aforesaid aspects of the matter, the Tribunal has not committed any error. In view of the above, the writ petition is disposed of. No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]