

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

WRIT PETITION NO.9479 OF 2016

Dinesh s/o Daulat Patil (Gaikwad)

.. Petitioner

Versus

The State of Maharashtra and ors.

.. Respondents

Mr P.S. Paranjape, Advocate for petitioner

Mr A.S. Shinde, A.P.P. for respondent no.1

Mr B.K. Patil, Advocate for respondents no.2 and 3

Mr H.P. Kshirsagar, Advocate for respondent no.4

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

DATE : 11th January 2018

PER COURT

Heard Mr P.S. Paranjape learned Advocate for the petitioner.

2. Learned Advocate for petitioner submits that the petitioner was appointed as Rojgar Sevak by following due procedure. Abruptly, the petitioner was terminated as Rojgar Sevak on 22.8.2016, even without notice to the petitioner. No procedure was followed.

3. Mr Patil, learned Advocate for respondents no.2 and 3 submits that while issuing termination order to the petitioner, the entire procedure has been followed. He further submits that petitioner has a remedy before the Block Development Officer in view of Government Resolution dated 22.1.2014.

4. It is further submitted by Mr Patil that the post, which was held by the petitioner has not yet been filled in.

5. In view of the alternate remedy available, we pass the following order.

6. The petitioner may file appropriate application/proceeding before respondent no.4 within a period of ten days from today. On receipt of the said proceeding, if filed within ten days, the respondent no.4 shall take decision upon it expeditiously. In case the petitioner files such application with respondent no.4 within ten days, then the respondents no.2 to 4 shall not fill in the post, which was held by the petitioner till the decision of the Block Development Officer.

7. Writ Petition is disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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