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

WRIT PETITION NO.10112 OF 2013

Kashinath s/o Sopan Gagare
Age 36 years, Occu. Service,
R/o Digras, Tq. Rahuri,
District Ahmednagar

... PETITIONER

VERSUS

1. The State of Maharashtra
through Secretary,
General Administration Department,
Mantralaya, Mumbai

2. The Registrar,
Mahatma Phule Krishi Vidyapeeth,
Rahuri, District Ahmednagar.

... RESPONDENTS

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Shri P.H. Patil, Advocate holding for
Shri P.B. Patil, Advocate for petitioner
Mrs. D.S. Jape Ansingkar, A.G.P. for State
Shri A.S. Shelke, Advocate for respondent No.2
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CORAM: T.V. NALAWADE AND
 SUNIL K. KOTWAL, JJ.

DATED : 1st MARCH, 2018.

ORAL JUDGMENT (PER T.V. NALAWADE, J.):

1. Rule. Rule made returnable forthwith and taken up
for final disposal by consent of learned counsel for the parties.

2. The petition is filed for relief of quashing the notice of
termination dated 14.11.2013, which was issued on the ground

of registration of crime against the petitioner. Learned counsel for the petitioner submitted that, this Court had occasion to consider the procedure for termination and also the legality of issuing such order only on the ground of circumstances of registration of crime in Writ Petition No.7937/2012 (Navnath s/o Laxman Dhamore Vs. The State of Maharashtra & anr.), along with connected writ petitions, decided on 15th February 2017. Copy of the judgment is placed on record.

3. In addition to that, learned counsel for the petitioner produced on record copy of the decision by the Judicial Magistrate, First Class, Rahuri in R.C.C. No.261/2009, showing that the petitioner and others who were charge-sheeted in the same crime, came to be acquitted of all the offences. This is additional circumstance in favour of the petitioner.

4. This Court holds that, the relief needs to be granted to the petitioner. In the result, the Writ Petition is allowed. Termination notice issued against the petitioner is hereby quashed and set aside. Rule is made absolute in those terms.

(SUNIL K. KOTWAL)
JUDGE

(T.V. NALAWADE)
JUDGE