

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11659 OF 2018**

Ashok L. Vaishya

..Petitioner

Vs.

**OIDC of Daman & Diu & Dadara &
Nagar Haveli Ltd. & Anr**

..Respondents

Mr. S. V. Marne for the Petitioner

Mr. S. S. Deshmukh for the Respondents

**CORAM :R. M. SAVANT, &
NITIN W. SAMBRE, JJ
DATE : 19^h OCTOBER, 2018**

P.C.

1 The above Writ Petition has been filed for quashing and setting aside the Notice dated 23-7-2018 Exhibit A to the Petition. By the said notice the Petitioner has been informed that since he has already completed 30 years of qualifying service, he shall retire from service on the forenoon of the day following the day of expiry of three months computed from the date of service of the Notice on him. The said Notice has been issued in exercise of the powers conferred by Rule 48(1)(b) of the CCS (Pension) Rules, 1972.

2 After the receipt of the said Notice the Petitioner has made a representation on 6-9-2018 to the Managing Director of the Respondent No.1. It is an undisputed position that the said representation is pending. The Learned Counsel appearing for the Respondent No.1 Mr. Deshmukh states that

since the representation of the Petitioner is pending, directions be issued to dispose of the said representation within a particular time frame. We accordingly direct the Respondent Nos.1 and 2 to dispose of the said representation dated 6-9-2018 of the Petitioner latest by 31-12-2018. Till the representation is decided, the impugned notice not to be given effect to and in the event the decision on the representation is against the Petitioner, the same not to be given effect to for a period of two weeks of the communication of the decision of the Respondents to the Petitioner.

3 With the directions as aforesaid the Writ Petition is disposed of.

[NITIN W. SAMBRE, J]

[R.M.SAVANT, J]