

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

WRIT PETITION NO. 2463 OF 2018

Omprakash Vikramrao Dahiphale .. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri Mahesh S. Taur, Advocate for the Petitioner.

Shri S. K. Tambe, A.G.P. for the Respondent No. 1.

Ms. Manjushri Shendge-Narwade, Advocate for the Respondent No. 2.

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

DATE : 07TH FEBRUARY, 2019.

FINAL ORDER :

. Mr. Taur, the learned counsel for the petitioner submits that the suspension order is illegal. So also subsistence allowance is not paid to the petitioner.

2. The learned counsel for the respondent No. 2 submits that, under order dated 03.11.2018, the petitioner has been reinstated and posted at Panchayat Samiti Shrirampur as a senior assistant.

3. In view of that, the grievance of the petitioner does not

subsist. If the petitioner seeks to challenge his order of posting, the petitioner may do so. In case subsistence allowance is not paid to the petitioner, the respondent No. 2 shall consider the grievance of the petitioner with regard to payment of subsistence allowance for the period during which the petitioner was under suspension and take decision upon it on its own merits within a period of two (02) months from today. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 19