

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 WRIT PETITION NO.13752 OF 2019

PREMALA DATTATRAY JADHAV

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Suvidh s. Kulkarni, Advocate for the
Petitioner.

Mrs. G. L. Deshpande, AGP for Respondents-State.

...

CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.

DATED : 14th NOVEMBER, 2019.

PER COURT:-

1. We have heard Mr. Kulkarni, learned counsel for the petitioner.

2. The learned counsel submits that, though the order of transfer was passed on 28.05.2018, the petitioner was declared surplus and was asked to join at other place. In view of that, it cannot be said that the petitioner had taken benefit of representation made by him.

3. Be that as it may, the Chief Executive Officer has imposed penalty of stoppage of one annual increment upon the petitioner on the ground that false information was submitted. Under Rule 13 of the Maharashtra Zilla Parishad District Services (Discipline and Appeal) Rules, 1964, the

petitioner has remedy of appeal before the Divisional Commissioner.

4. The petitioner may file an Appeal as is permissible before the Divisional Commissioner.

5. In that case, all contentions on merits are kept open.

(AVINASH G. GHAROTE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE