

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

133. WRIT PETITION NO. 6670 OF 2019

Ganesh Balaram Imle

...Petitioner

VERSUS

The State of Maharashtra and another

...Respondents

Mr. Uttam L. Telgaonkar, Advocate for petitioner

Mr. V.M. Kagne, Advocate for respondents No.1 & 2/State

Mr. V.S. Bhavthankar, Advocate for respondent No.3

CORAM : S.V. GANGAPURWALA

AND

AVINASH G. GHAROTE, JJ.

DATE : 9th December, 2019

PER COURT :

1. The learned Advocate for the petitioner submits that the petitioner has been illegally deputed at *Panchayat Samiti*, Purna, though there are posts of Higher Grade Stenographer available with the Chief Executive Officer and the President of the *Zilla Parishad*. The learned Counsel submits that even salary of the petitioner is not paid.

2. According to the respondents, the petitioner was absent. As such, salary was not paid. Whenever the petitioner was present, salary is paid. In view of the departmental enquiry against the petitioner, the petitioner was deputed at *Panchayat Samiti*, Purna.

Departmental Enquiry is at the fag end and within a period of one month, the same would be concluded. The enquiry report is also received. Show cause notice is issued to the petitioner of the proposed punishment.

3. As the departmental enquiry was initiated, the petitioner was sent on deputation out of the office. According to the petitioner, leave applications were given. Respondent No.3 shall take decision upon leave applications of the petitioner, within a period of one month. Commensurate with the decision taken, the decision shall also be taken with regard to the salary of the petitioner, within a period of one month.

4. Depending upon the decision that would be taken in the departmental enquiry, further steps be taken with regard to the claim of the petitioner of course.

5. The writ petition is accordingly disposed of with aforesaid directions. No costs.

(AVINASH G. GHAROTE)
JUDGE

Madkar

(S.V. GANGAPURWALA)
JUDGE