

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.10870 OF 2019

ANAND UTTAMRAO BAWANE
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...
 Advocate for Petitioners: Mr G R Syed h/for Mr M G Biradar
 AGP for Respondents State: Mr S B Yawalkar
 Advocate for Respondents 2 & 3: Mr Pulkundwar Santosh B.

CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE : 4th September, 2019

ORDER:

1. The petitioner is challenging the order of suspension. The order of suspension is issued by the Education officer (Primary). Rule 12 of the Maharashtra Zilla Parishad (Discipline and Appeal) Rules, 1964 provides that if order of suspension is made by an authority other than the Chief Executive Officer, appeal would lie before the Executive Officer.

2. In light of above as, the order of suspension is made by the Education Officer, appeal would be tenable before the Chief Executive Officer. If the petitioner files appeal within a period of 15 days from today, the question of limitation would not arise. The Chief Executive officer shall consider the claim of the petitioner for revocation of suspension on its own merits.

3. Writ petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC