

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

44 WRIT PETITION NO.12363 OF 2018

NAZIR SARFARAZ KHAN GULAM GHOUSE KHAN DURRANI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Petitioner : Mrs. Ansari A. N.
AGP for Respondents State: Mr. S. G. Karlekar
Advocate for Respondent No.2 : Mrs. Manjusha A. Deshpande

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 29th January, 2019

PER COURT :

1. Learned counsel for the petitioner submits that after filing of the writ petition, provisional pension has been paid to the petitioner for the month of December, 2018 and the papers are now sent and the amount of leave encashment has been paid. Learned Advocate for the Corporation submits that the provisional pension would be paid regularly to the petitioner.

2. The disciplinary enquiry is initiated against the petitioner. The petitioner has attained the age of superannuation on 31st December, 2017. Learned counsel for the petitioner submits that no further progress has been made in the disciplinary proceedings. Learned counsel for the respondent

Corporation submits that sanction from the General Body has not yet been received and upon the sanction being received, further process would be undertaken.

3. Respondent No.2 Municipal Corporation shall consider the case for sanction of disciplinary proceedings against the petitioner in the next General Body meeting and take decision upon it. In case General Body of respondent no.2 issues sanction, the disciplinary proceedings shall be concluded expeditiously, preferably within six months from the date of sanction. The petitioner shall also cooperate for expeditious disposal of the enquiry proceedings.

4. With the above observations, writ petition is disposed of. No costs.

(A. M. DHAVALÉ, J.)

(S. V. GANGAPURWALA, J.)

JPC