

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12897 OF 2018

Ashok S/o Laxman Kasralikar ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. V.S. Panpatte, Advocate for Petitioner

Mr. S.G. Karlekar, Assistant Government Pleader for
Respondent No. 1

Mr. S.B. Pulkundwar, Advocate for Respondent No. 2

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

DATE : 27th FEBRUARY, 2019

ORAL ORDER:

1. Mr. Pulkundwar, the learned Counsel for the respondent/Zilla Parishad submits that the suspension of the petitioner has been revoked subject to the outcome of the departmental inquiry and he is reinstated.

2. In view of that, the relief claimed in the Writ Petition now does survive. The arguments of Mr. Panpatte, the learned Counsel with regard to the departmental enquiry in the present Writ Petition cannot be considered as the same is not subject matter of the present Writ Petition. The petitioner is at liberty to take steps as may permissible in law.

3. The learned Counsel for the petitioner submits that the petitioner is not paid subsistence allowance during the period of suspension.

4. Mr. Pulkundwar, the learned Counsel for the respondent/Zilla Parishad on instructions submits that the petitioner would be paid the subsistence allowance for the period under suspension as per the Rules. The same shall be paid within a period of one month from today.

5. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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