

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.5410/2008

Prabhakar Rajeshwar Pimpalkar
Vs.

State of Maharashtra through its Secretary, Ministry of Rural Development and Water
Resources Department, others

Office notes Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri G.N.Khanzode, Advocate for petitioner.
Shri H.D.Dube, Assistant Government Pleader for respondent nos. 1 and 2.
Shri B.B.Mehadia, Advocate for respondent no.3.

CORAM : A.S.CHANDURKAR, J.

DATED : August 29, 2019

Heard Shri G.N.Khanzode, learned counsel for the petitioner,
Shri H.D.Dube, learned Assistant Government Pleader for respondent nos. 1
and 2 as well as Shri B.B.Mehadia, learned counsel for the respondent no.3.

Perused the writ petition. In para 9 of the writ petition, it has
been stated that similar grievance as raised in this writ petition has also been
raised in Writ Petition No.3411/2008. It is seen that the said writ petition
was decided on 04.05.2017 and it was held that the decision of the Chief
Executive Officer withdrawing the time bound promotion given to the
petitioner on completion of 12 years continuous service was a proper
decision which was confirmed by the Additional Commissioner in appeal.

In the present case also a similar order came to be passed by the
Chief Executive Officer against the petitioner. Perusal of the order dated
08.01.1999 at Annexure-V of the writ petition indicates an order similar to
the order passed in the case of Shri Ramdas Nagpure who was the petitioner
in Writ Petition No. 3411/2008 was also passed in the case of the present
petitioner. The fact that the petitioner had completed 45 years has also

been taken into consideration while passing the impugned order.

Hence for the reasons assigned in Writ Petition No. 3411/2008 the challenge raised in the present writ petition also fails. The writ petition is accordingly dismissed. Rule stands discharged with no orders as to costs.

JUDGE

Andurkar.