

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

WRIT PETITION NO.7691/2017

Milind s/o Shyamrao Pimprale

...Versus...

The Chief Executive Officer, Zilla Parishad, Amravati and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.V. Thakre, Counsel for petitioner
Shri S.D. Chopde, Counsel for respondent no.2

**CORAM : R. K. DESHPANDE AND
MILIND N. JADHAV, JJ.
DATE : 18/11/2019**

1. The petitioner has an alternate statutory remedy of filing an appeal against the order of dismissal by way of punishment, if any, passed by the respondent – employer, as a result of enquiry said to have been conducted against him, in respect of which a show-cause-notice dated 10/10/2017 is issued to the petitioner.

2. We, therefore, do not find any reason to entertain this petition and leave it open to the petitioner to avail alternate statutory remedy of filing an appeal before the Divisional Commissioner. All questions are left open.

3. The petitioner, who was working as a Sectional Engineer in Zilla Parishad, has attained the age of superannuation on 31/11/2018.

4. In view of this, there is no question of any interim protection to the petitioner. The respondents shall be at liberty to proceed with the show-cause-notice and pass appropriate orders.

The writ petition is dismissed. No order as to costs.

(Milind N. Jadhav, J.)

(R.K. Deshpande, J.)

Wadkar, P.S.