

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5585 OF 2020

Sunil Laxman Thote

PETITIONER

VERSUS

The Divisional Controller, MSRTC, Jalna

RESPONDENT

.....

Mr. S. W. Munde, Advocate for the petitioner

Mr. D. S. Bagul, Advocate for the respondent

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 28th AUGUST, 2020

ORDER :

1. Heard learned advocates for the parties at quite some length.
2. There is no dispute on the aspect that may be germane to be considered that while under the departmental proceedings petitioner has been punished with dismissal from service and first appeal therefrom preferred by the petitioner has been dismissed and second appeal preferred is still pending before appellate authority.
3. It appears that during pendency of proceedings against dismissal, notice came to be issued for eviction from quarter and

to pay huge amount of penalty as rent. It further appears that some proceedings have been initiated by the respondent employer before the authority under Bombay Government Premises (Eviction) Act, 1955 and under an order in said proceedings petitioner has been directed on 20th November, 2019 to pay a sum close to Rs.5,00,000/-, which according to learned advocate for the respondent has grown up beyond Rs.6,00,000/- as on the date.

4. In the scenario it appears to be expedient that the petitioner pays up a sum of Rs.2,00,000/- to the employer / authority and continues to pay compensation for occupation of premises @ Rs.7000/- per month as stated on behalf of the petitioner, until disposal of the second appeal before concerned authority.

5. In view of aforesaid, petitioner to deposit a sum of Rs.2,00,000/- with the respondent within a period of four weeks from today and shall continue to pay regularly compensation for occupation of premises @ Rs.7000/- per month until disposal of the appeal. It would be expedient that the second appellate authority proceeds with the appeal filed by the petitioner as expeditiously as possible and dispose of the same preferably within a period of four months from the date of communication

of writ of this order.

6. Learned advocate for the petitioner states that electricity connection of the premises be restored. Learned advocate Mr. Bagul has no particular objection for restoration of the electricity connection. As such, electricity connection to the premises occupied by the petitioner be restored.

7. With aforesaid, writ petition is disposed of. Needless to refer to that all the contentions to the parties are kept open.

[SUNIL P. DESHMUKH]
JUDGE

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