

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

WRIT PETITION NO. 6452 OF 2019

Nandkishor Wamanrao Deshmukh

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. D. R. Irale Patil, Advocate for Petitioner.

Mr. P. S. Patil, Addl. G. P for Respondent Nos. 1 to 4.

Mr. Milind M. Joshi, Advocate for Respondent No. 5.

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 16th JANUARY, 2020.

PER COURT:-

. The learned counsel for the petitioner and the learned Addl. G. P are *ad idem* that, the petitioner is similarly situated as the petitioner in Writ Petition No. 8644 of 2019 decided by this Court under judgment and order dated 14.11.2019.

2. In view of that, we follow the same course and pass the similar order.

3. The respondents raised preliminary objection that the petitioner has alternate remedy under the Maharashtra Zilla Parishad District Services (Discipline and Appeal) Rules, 1964 of filing appeal before the

Commissioner.

4. We have also heard Mr. Irale Patil, learned counsel for the petitioner.

5. Naturally the Commissioner where the appeal would be filed is required to consider all the relevant aspects of the matter and the contention of the petitioner as to how the judgment of this Court in Writ Petition No. 8009/2014 would not apply to him.

6. In view of the above, writ petition is disposed of with liberty to the petitioner to avail the alternate remedy.

7. All contentions of respective parties are kept open. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.