

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

WRIT PETITION NO.12019 OF 2021

**SUNIL LAXMAN INGALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Jadhavar Shivprasad G.
Advocate for respondent : Mr. Prashant R. Nagare
AGP for Respondent State : Mr. Y.G. Gujarathi
...

CORAM : MANGESH S. PATIL, J.

DATE : 29.10.2021

PER COURT :

The petitioner is impugning communication dated 01.10.2021 (Exhibit-G) and submits that his Appeal dated 05.08.2021 has not been decided by extending him any opportunity of being heard and the communication indicates that his request is rejected.

2. The learned AGP and learned advocate for the respondent CEO submit on instructions that the page No.51 (Exhibit-G) is an internal communication. It is not the decision on the Appeal preferred by the petitioner pursuant to the GR dated 15.05.2014 as per the directions of the Division Bench in Writ Petition No.8713/2021 dated 10.08.2021. In view of such state of affairs, since the Appeal of the petitioner is still to be decided, the petition is premature.

3. The Writ Petition is dismissed. Let the Divisional Commissioner

pass appropriate order on the Appeal preferred by the petitioner dated 05.08.2021 on its own merits as early as possible.

4. The petitioner shall appear before the Divisional Commissioner on 15.11.2021 and there shall be no need for the Divisional Commissioner to issue any notice to him.

(MANGESH S. PATIL, J.)

habeeb