

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8412/2019

Yashwant Udhav Janrao

.. Petitioner

vs.

Union of India & Anr.

.. Respondents

.....
Mr. Sanjay Kulkarni for the Petitioner.

Mr. T. J. Pandian with T. C. Subramaniam and Dheer Sampat
for Respondent Nos. 1 and 2.

.....
**CORAM: K.K.TATED, &
RIYAZ I. CHAGLA, JJ.**

DATED : FEBRUARY 17, 2021

P.C.

. Heard.

2. Rule.

3. At the request of both parties, matter is taken on board for final disposal.

4. By this Petition, under Article 226 of the Constitution of India, the Petitioner is challenging communication dated 23/04/2008 issued by the Respondent No.2 terminating the Petitioner's services only on the ground that the Petitioner has failed to disclose the criminal matter which is pending against him before the date of appointment.

5. The learned counsel for the Petitioner submits that, thereafter, the Petitioner has made several representations to the Respondents for considering the case on its own

merits. He submits that even the Petitioner's representation dated 02/02/2019 (Exhibit-K, Page-28) which is pending for hearing and final disposal on its own merits.

6. The learned counsel for the Petitioner submits that, he has received instructions from his client that the Respondents may be directed to decide the Petitioner's representation dated 02/02/2019 on its own merits as early as possible. To that effect, he has give in writing. The same is taken on record and marked 'X' for identification. The same is accepted.

6. Considering the submissions made by the learned counsel for the Petitioner, issue involved in the present writ petition and as the Petitioner's representation dated 02/02/2019 is pending for decision on its own merits, the following order is passed:

a. The Respondent-the Director General, Railway Protection Force, Rail Bhavan, New Delhi to decide the Petitioner's representation dated 02/02/2019, as early as possible, but in any case, on or before 28/05/2021 and communicate the decision to the Petitioner in writing.

b. All the contentions of the parties are kept open.

c. The writ petition stands disposed of accordingly.

d. No order as to costs.

(RIYAZ I. CHAGLA, J.)

(K.K.TATED, J.)