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

917 WRIT PETITION NO.502 OF 2021

**ANITA KIRAN CHAVHAN
VERSUS
THE CHIEF EXECUTIVE OFFICER AND OTHERS**

...

Ms Anita Kiran Chavhan – Party-in-person

Smt. V. A. Shinde, Advocate for respondent Nos.1 to 4

Mr S. R. Yadav, A.G.P. for respondent No.5

CORAM : RAVINDRA V. GHUGE, J

DATE : 24th March, 2022

PER COURT:

1. The petitioner has challenged the order dated 12/02/2018, which was delivered in her favour by the Additional Divisional Commissioner by reducing her punishment of termination from service to stoppage of one increment temporarily. The Zilla Parishad had also challenged the same order before this Court, in which, the present petitioner was respondent No.3. By a speaking order dated 07/11/2019, this Court has dealt with the legality of the said order and has observed in paragraph 6 as under :-

“6. Even otherwise, I have carefully perused the order passed by the Appellate Departmental Authority along with the report submitted by the Inquiry Officer. It appears that as against the charges proved against respondent no. 3, the penalty of dismissal from service imposed by Disciplinary Authority appears to be

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disproportionate. The Appellate Departmental Authority has considered the same and accordingly, reduced the penalty. I do not find any fault in the order passed by the Appellate Departmental Authority. Even on merits also there is no substance in this writ petition. Hence, The writ petition is hereby dismissed. No costs.”

2. The present petitioner had appeared as party-in-person, respondent No.3, in the said Writ Petition No.8185/2018 filed by the Zilla Parishad, Aurangabad and she was heard. She did not prefer a writ petition then. After a passage of three years, she has filed the present writ petition for challenging the same order, which has been sustained on merits by the order dated 07/11/2019.

3. In view of the above, this petition is devoid of merits and is, therefore, dismissed.

4. The petitioner submits that, she is not paid her salary for a period of around 5 months and 6 days from 10/03/2015 till 16/08/2015.

5. If the petitioner has not raised any grievance about this aspect, she would be at liberty to avail of a remedy for the redressal of her grievance, as is permissible in law.

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6. If the petitioner prefers a representation to the Chief Executive Officer, Zilla Parishad, on or before 30/04/2022, the said representation shall be decided, as expeditiously as possible and preferably, on or before 15/06/2022, on its merits.

(RAVINDRA V. GHUGE, J.)

sjk