

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 5198 of 2021

[Shri Hariram Motiram Selukar ..vs.. The Municipal Commissioner, Amravati Municipal Corporation,
Amravati and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. S. Gadmade, Advocate h/f Mr. G. G. Bade, Advocate for the
petitioner

Mr. J. B. Kasat, Advocate for respondents 1 to 3

**CORAM : ROHIT B. DEO AND
ANIL L. PANSARE JJ.**

DATED : 12-8-2022

The petitioner has a limited grievance.

2. The petitioner has suffered punitive order of termination which he challenged in appeal preferred to the Standing Committee of Municipal Corporation, Amravati. The Standing Committee dismissed the appeal vide order dated 14-8-2020, which was not communicated to the petitioner and he came to know about the said order only on 20-1-2021 when he made enquiries. The petitioner preferred further appeal before the Hon'ble Mayor, which is dismissed on the ground of limitation.

3. We note that the Hon'ble Mayor has dismissed the appeal without even issuing notice to the employee. We

need not delve deeper in the submission of learned counsel for the Corporation, Mr. Kasat that second appeal does not lie, since that is not the ground on which Hon'ble Mayor has dismissed the appeal.

4. We are inclined to set aside the order and we order accordingly.

5. Order impugned is set aside.

6. The matter is remitted to the Hon'ble Mayor for appropriate decision after issuing notice.

7. Needless to observe, every contention of the employee and the Corporation and all questions including the tenability of appeal are kept expressly open.

8. The petition is disposed of.

(Anil L. Pansare, J.)

(Rohit B. Deo, J.)

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