

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.824/2019

Prabhudas Shankarrao Nayadkar

...Versus...

Hon'ble Divisional Commissioner, Amravati Division, Amravati and another

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

Court's or Judge's orders

Shri N.S. Bhelkar, Advocate for petitioner
Shri N.R. Patil, AGP for respondent no.1
Shri S.M. Bhangde, Advocate for respondent no.2

CORAM : AVINASH G. GHAROTE, J.

DATE : 27/03/2023

1. The impugned order dated 01/10/2018 which maintains the punishment of stoppage of two increments permanently of the petitioner, does not disclose any reason whatsoever as to why the said punishment has been maintained. It is expected, that any order passed confirming the punishment would indicate an independent application of mind to the facts of the case and record reasons for agreeing with the punishment imposed. That however, is not disclosed from the impugned order dated 01/10/2018, considering which, the same cannot be sustained and is hereby quashed and set aside. The matter is remitted back to the respondent no.1 – Divisional Commissioner for hearing the parties and

passing order afresh. The parties shall appear before the respondent no.1 on 11/04/2023 and the matter shall be decided by the learned respondent no.1 within a period of thirty days therefrom.

2. The writ petition is accordingly allowed in the above terms. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar