

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

WRIT PETITION NO.2803 OF 2021

Dhiraj S/o Vijayrao Ratnaparkhi, Warora, Chandrapur

-vs-

The Chief Executive Officer, Zilla Parishad, Chandrapur and ors.

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

Court's or Judge's Orders.

Shri M. L. Vairagade, Advocate for petitioner.

Shri A. P. Thakare, Advocate for respondent Nos.1 and 2.

CORAM : A. S. CHANDURKAR AND M. W. CHANDWANI JJ.

DATE : March 08, 2023

P.C.

Heard.

The petitioner who is serving as Junior Draftsman with Zilla Parishad, Chandrapur was placed under suspension by order dated 12/03/2021. Since it was the grievance of the petitioner that he was not paid subsistence allowance, he has challenged the order of suspension.

The learned counsel for the Zilla Parishad on instructions submits that on 24/06/2021 the order of suspension has been revoked and the petitioner has been reinstated. He has thereafter been posted on a vacant post at Panchayat Samiti, Warora.

It appears that this writ petition has been filed on 20/07/2021 which is subsequent to revocation of the order of suspension. Notice was issued in the writ petition on 10/08/2021 which is also after revocation of suspension. Be that as it may, it is clear that the prayer made in the writ petition for setting aside the order of suspension dated

12/03/2021 now does not survive in the light of the fact that the suspension has been revoked on 24/06/2021.

Insofar as other grievances of the petitioner with regard to non-payment of subsistence allowance or withholding of increments are concerned, he is permitted to make a representation to the Chief Executive Officer, Zilla Parishad, Chandrapur within a period of three weeks from today. If such representation is made by the petitioner, the Chief Executive Officer shall take a decision thereon within a period of four weeks from receiving of the same. Needless to state that if the grievance of the petitioner subsists even thereafter, he is free to take appropriate steps in that regard.

Keeping all points raised on merits open, the writ petition is disposed of. No order as to costs.

(M. W. Chandwani, J.)

(A. S. Chandurkar, J.)

Asmita