

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

WRIT PETITION NO. 7476 OF 2019

Sarpanch, Gram Panchayat Vishorli and anr __ Vs. __ Girish Purushottam Watane

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

Court's or Judge's orders

Mr. R.D.Wakode, Advocate for petitioner

Mr. P.S.Patil, Advocate for respondent

CORAM : AVINASH G. GHAROTE, J.

DATE : 20/02/2023

1] Heard Mr. Wakode, learned counsel for the petitioner and Mr.Patil, learned counsel for the respondent.

2] It is not disputed by Mr.Wakode, learned counsel for the petitioner that the respondent was a permanent employee of the petitioner. He, however, contends that the conduct of the respondent indicated loss of confidence of the employer in him, as the respondent was entrusted with the job of collecting taxes, and though the same were collected, they were not deposited with the petitioner, which clearly amounted to misappropriation, according to him. He submits that 31 show cause notices were also given to the respondent, and upon failure to give a satisfactory explanation, his services were terminated.

3] The above position would categorically point out that the termination has been done without conducting an enquiry, which was necessary in view of the admitted position that the respondent was a permanent employee. Both the Courts below have rightly considered this position in the impugned judgment and order, considering which, I am not inclined to interfere in the petition. The petition is dismissed. No costs.

4] The complaint shall be decided on its own merits without being influenced by any observations made herein.

JUDGE

Rvjalit