



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2714 OF 2024

Baban s/o Haribhau Ghatule

.. Petitioner

versus

The State of Maharashtra & others

.. Respondents

Mr. Swapnil Joshi along with Mr. Mahesh Swami and Mr. chetan Chaudhari, Advocates instructed by J. P. Legal Associates for the Petitioner.

Mr. A. A. A. Khan, AGP for the State.

Mr. S. B. Pulkundwar, Advocate for Respondent No. 2.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 12th MARCH, 2024.

PER COURT :

1. There is no dispute that the Petitioner has been exonerated in the Departmental Enquiry. It is equally undisputed that he was acquitted by judgment dated 6th December, 2022 in Regular Criminal Case No. 01/2022. He was terminated from service. However, the Additional Divisional Commissioner, by judgment dated 2nd April, 2017, set aside the termination and granted him re-instatement in service, but with stoppage of one increment permanently as punishment. He, therefore, prays for the full salary for the period of suspension.

2. The learned Advocate for the Zilla Parishad submits that the Petitioner's representation dated 26th December, 2022, would be decided expeditiously. The order of re-instatement was subject to the decision in the criminal proceeding.

3. In view of the above, **this Writ Petition is disposed off** with a direction to the Zilla Parishad to deal with the representation of the Petitioner within 60 days from today, provided an appeal against his acquittal is not pending. The decision arrived at by the Zilla Parishad shall be communicated to the Petitioner.

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

dyb