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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**61 CONT. PETITION NO. 985 OF 2023
IN WP/13954/2021**

MR. NARSING LALANA CHAPALWAR

....Petitioner

VERSUS

ASHEEMKUMAR S. K. GUPTA

.....Respondent

Mr. Mohanish V. Thorat, Advocate for the petitioner
Mr. M. M. Nerlikar, Addl.PP for the respondents/State
Mr. S. B. Pulkundwar, Advocate for the respondent No.2

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.**

DATE : 02nd JANUARY, 2024

P. C.

1. Heard.

2. The petitioner was seeking consideration of his past service for pension purpose. The writ petition has been filed soliciting a direction to the Chief Executive Officer, Zilla Parishad Nanded to take appropriate action on his representation on its own merits within four months.

3. Learned advocate for the petitioner submits that in spite of lapses of so many months no decision has been taken.

4. Learned advocate for respondent No.2 submits that in fact the power to consider such representation vests with the learned Divisional Commissioner and the Chief Executive Officer cannot decide it. He submits that if the petitioner's proposal is still pending with the office of the Chief Executive Officer a direction may be given for forwarding the proposal to the Divisional Commissioner, so that he can decide it on its own merits within stipulated time.

5. Since there was no direction to the Divisional Commissioner in order passed in the writ petition, we dispose of the petition by directing the respondent-Chief Executive Officer to forward the representation with requisite proposal to the office of the Divisional Commissioner within four weeks, whereupon the Divisional Commissioner shall pass appropriate

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order on that representation/proposal on its own merits within eight weeks from the date of receipt of representations/proposals.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

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