

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 9068 OF 2021**

Shri. Chandrashekhar Keshav  
Panibhate

...Petitioner

**Versus**

Solapur Municipal Corporation  
Through Commissioner And Anr.

...Respondents

\*\*\*\*

**SNEHA  
NITIN  
CHAVAN**

Digitally signed  
by SNEHA  
NITIN CHAVAN  
Date: 2024.04.01  
11:07:52 +0530

Mr. Mohansinh Rajput a/w Sachin Ambulkar for the Petitioner.  
Mr. Samir Kumbhakoni for Respondent No.1.  
Ms. Neha Bhide, 'B' Panel Counsel for Respondent No.2.

\*\*\*\*

**CORAM : NITIN JAMDAR AND  
M.M.SATHAYE, JJ.**

**DATE : 18 JANUARY 2024**

**P.C. :**

. This petition is filed in December 2020. The prayers in the petition are that the order of suspension dated 13 August 2013 and show cause notice of 28 November 2014, be set aside. Thus, 7 years after the order of suspension and 6 years after the show cause notice, the Writ Petition came to be filed.

2. It appears that the Petitioner had earlier approached the Labour Court and the Industrial Court and thereafter the present petition has been filed. As a consequence thereof, the show cause notice has not been taken forward. In the meanwhile, the Petitioner

has retired on superannuation.

3. The learned counsel for the Petitioner sought to contend that the misconduct imputed to the Petitioner in the show cause notice, cannot result in a major penalty. However, the stage at which the petition was presented, is only a stage of show cause notice. The Petitioner can always file a reply to the show cause notice and also point out, without prejudice, that even assuming the misconduct is proved it cannot result in a major penalty. It is for the Respondent/employer to take appropriate decision.

4. Considering that the matter is pending since the year 2013, while disposing of the petition, we are inclined to set a time table.

5. The Petitioner will submit his response to the show cause notice within a period of 4 weeks from today. If the reply to the show cause notice is not found satisfactory, the Respondent will take necessary steps to proceed further as per law, within a period of 6 months thereafter, subject to Petitioner co-operating with the inquiry.

6. Keeping the contentions of the Petitioner open to be agitated, in case inquiry is instituted, the Writ Petition is disposed of.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)