

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

WRIT PETITION NO. 14088 OF 2024

Ajay Dattraya Wayase ...Petitioner
Versus
Pune Municipal Corporation And Anr. ...Respondents

...
Mr. Anil V. Anturkar, Senior Advocate i/b. Sugandh Deshmukh,
Advocate for the Petitioner.
Mr. Rhishikesh M. Pethe, Advocate for the Respondent Nos.1
and 2.
Mr. A.A. Alaspurkar, AGP for the Respondent No.3.
...

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**CORAM : RAVINDRA V. GHUGE
&
M.M. SATHAYE, JJ.**

DATE :- 17th OCTOBER, 2024

Per Court :-

1. The learned Advocate for the Pune Municipal Corporation has received a communication dated 16th October 2024, via email. A print-out copy of the communication received by the learned Advocate is taken on record and marked as 'X' for identification.

2. He has been instructed to inform the Court that the representation of the Petitioner would be considered and until a

decision on the said representation, further steps with regard to promotion, would not be initiated. Since the Model Code of Conduct has been declared by the State Government, no decision on the promotion would be taken. He is further instructed to say that after the representation of the Petitioner is decided, if an adverse order is passed, the same would not be implemented for a period of two weeks.

3. The learned Senior Advocate representing the Petitioner submits that, the representation has been made by the Petitioner dated 13th August, 2024, but he has some limitations in expressing himself. He desires to place an additional representation. Such additional representation would be tendered within a period of 5 days. He prays that the entire record and confidential report of the Petitioner, be considered by the Competent Authority before arriving at any conclusion. He tenders the email address of the Petitioner as ajaywayase657@gmail.com in order to enable the Corporation to serve a copy of this decision, either personally or through email.

4. In view of the above and by the consent of the parties, **this Writ Petition is disposed off** with the following observations:-

- (A) The Petitioner would tender an additional representation within 5 days from today.
- (B) Considering the statement made in document 'X', a hearing would be conducted after the Model Code of Conduct is lifted and for which the Petitioner be given a notice of at least 5 days.
- (C) After considering the entire record of the Petitioner and by following the due procedure applicable, the Competent Authority may take a decision which would be communicated to the Petitioner as noted above.
- (D) If the decision is adverse to the Petitioner, the same would contain reasons and considering the statement made, the decision would not be implemented for a period of two weeks in order to enable the Petitioner

to avail of a remedy as is permissible in law.

5. All contentions of the parties are kept open.

(M.M. SATHAYE, J.) (RAVINDRA V. GHUGE, J.)