



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1003 WRIT PETITION NO. 4712 OF 2022

ASHOK KERBA GHAYAL

VERSUS

THE ADDITIONAL DIVISIONAL COMMISSIONER – 2 AND OTHERS

...

Mr. Shrimant R. Kedar – Advocate for Petitioner

Mr. V.S. Badakh – AGP for Respondent No.1, State

Mr. Prashant D. Suryawanshi – Advocate for Respondent Nos.2 to 4

...

CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 03.12.2025

PER COURT :

1. Heard the respective learned Counsel for the parties.
2. The petitioner challenges the judgment and order dated 28.10.2021 passed by the Additional Divisional Commissioner – 2, Aurangabad in Appeal No.2020/DB/Appeal.Cell-43, whereby the petitioner's appeal has been dismissed and the order dated 03.07.2020 passed by respondent No.2 by imposing penalty and compulsory retirement and recovery of Rs.2,27,029/- has been confirmed.
3. Learned A.G.P for respondent No.1, State and learned Counsel for respondent Nos.2 to 4 raised a preliminary objection about the maintainability of the present petition that the petitioner has an alternate remedy of filing the revision before the State Government.

4. In view thereof, the Writ Petition is disposed of as not maintainable.

5. The petitioner is at liberty to file a revision before the State Government within a period of eight (8) weeks from today.

6. The delay caused in prosecuting the present petition shall be taken into consideration by the State Government while considering an application for condonation of delay.

7. The State Government shall decide the revision within a period of months (6) months from today.

8. All the points are kept open.

[SIDDHESHWAR S. THOMBRE]
JUDGE

Pooja Kale/