



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7738 OF 2024

Dinesh S/o Shivram Patil
Age : 46 years, Occ. : Junior Engineer,
With Panchayat Samiti Pachora,
Panchayat Samiti, Pachora,
Tq. Pachora, Dist. : Jalgaon

... PETITIONER

VERSUS

- 1] The State of Maharashtra,
Through its Secretary,
Rural Development Department, Mantralaya,
Mumbai-32.
- 2] The Hon'ble State Minister
Rural Development Department, Mantralaya,
Mumbai-32.
- 3] Additional Divisional Commissioner,
Nashik, Division Nashik,
Tq. & Dist. Nashik.
- 4] Chief Executive Officer,
Zilha Parishad, Jalgaon,
Tq. & Dist. Jalgaon.

... RESPONDENTS

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- Mr. Sapkal Sandip R., Advocate for the Petitioner
 - Mr. V. M. Chate, AGP for Respondent Nos. 1 to 3
 - Mr. V. V. Gujar, Advocate for Respondent No. 4
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CORAM : ROHIT W. JOSHI, J.

DATE : AUGUST 06, 2025

ORAL JUDGMENT:

1. The present petition takes an exception to order dated 31.08.2021 passed by the Chief Executive Officer, Zilla Parishad, Jalgaon,

imposing punishment of withholding two increments permanently upon the petitioner, as also the order dated 28.04.2022 passed by the Additional Commissioner, Nashik Division, Nashik, dismissing appeal arising out of the said order and the order dated 21.02.2024 passed by the Hon'ble Minister, Rural Development Department in revision application against the same.

2. Perusal of impugned orders passed by the Appellate Authority i.e. Additional Commissioner as also the Revisional Authority i.e. Hon'ble Minister will demonstrate that both these orders are non-speaking orders. Rival contentions are not dealt with and no reasons are recorded for disposal of the appeal as well as revision application. Right of appeal is a variable statutory right. The manner in which the appeal is decided, renders the right illusory.

3. In that view of the matter, the order dated 28.04.2022 passed by the Appellate Authority and 21.02.2024 passed by the Revisional Authority are liable to be quashed and set aside.

4. The writ petition is **partly allowed** in the following terms:

(a) Order dated 28.04.2022 passed by the Additional Commissioner, Nashik Division, Nashik and order dated 21.02.2024 passed by the Hon'ble Minister, Rural

Development Department in Revision No. Kra. Dean-2022/pra.kra.391/Ashtha-12 are quashed and set aside.

(b) ZP Employee Appeal No. 65/2021 is remitted to the Additional Commissioner, Nashik Division, Nashik for deciding the same afresh, in accordance with law with directions to pass a reasoned order, dealing with all the contentions. Appeal be decided as expeditiously as possible and in any case on or before before 31.03.2026.

(c) Parties shall appear before the Appellate Authority on **18.08.2025**, for which separate notice will not be issued.

[ROHIT W. JOSHI, J.]