



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

38 WRIT PETITION NO. 1858 OF 2025

RASHID SHA KABIR SHA

VERSUS

**BHARAT SANCHAR NIGAM LIMITED
THROUGH ITS GENERAL MANAGER**

....

39 WRIT PETITION NO. 1859 OF 2025

KARIM SHAH MEHBOOB SHAH

VERSUS

**BHARAT SANCHAR NIGAM LIMITED
THROUGH ITS GENERAL MANAGER**

Advocate for the Petitioner in both petitions : Mr. Sachin S Deshmukh And
Shaikh Majit S

Advocate for Respondent in both petitions : Mr. S.C.Arora

...

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**

DATE : 10th FEBRUARY 2025

PER COURT :

1. Heard.

2. Learned counsel for the petitioner has stated that the proposed inquiry initiated against the petitioner is in contravention of the Rule 61, Sub-rule (4)(2)(b)(ii) of the disciplinary provision for retiring employees. He would submit that the alleged event, as alleged was of 2000. Though not admitted to the petitioner, since the event is considered, the proposed departmental inquiry should have been initiated within four years from 2000. However, the

respondents have misinterpreted the provision and they are counting four years from the date of his retirement. It appears that the question of interpretation of provision has been raised. No doubt, the petitioner was retired on 31.01.2020 and the memorandum was served on 29.01.2024, which is apparently after four years on the date of his voluntary retirement.

3. Issue notice to respondents, returnable on 17.03.2025.

4. Considering the issue involved there shall be interim protection, respondent should not proceed with the proposed charge-sheet till the next date.

[SHAILESH P. BRAHME, J.]

[S. G. MEHARE, J.]

vsj..