

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3587 OF 2024**

Vijay Vishram Billewar

....Petitioner

Versus

The Assistant Commissioner and Ors.

....Respondents

Ms. Yogita Chitnis for the Petitioner.

Mr. Yashodeep Deshmukh a/w. Ms. Vaidehi Pradeep for Respondent
Nos.2 to 4.

Ms. Pooja Joshi Deshpande, AGP for the State.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 31st JANUARY, 2025

P.C. :-

1. The Petitioner approached this Court having received the second Show Cause Notice dated 5th April, 2022 along with the copy of the Enquiry Officer's report. On 15th March, 2024, notice was issued to the Respondents. On 16th April, 2024, this Court [Coram : G.S. Patel & Kamal Khata, JJ.] granted ad-interim relief in terms of prayer clause (c).

2. Today, the learned Advocate for the Petitioner has been informed by the Petitioner that the employer has already issued an order of punishment on 6th March, 2024. Apparently, this aspect was

not brought to the notice of the learned Advocate for the Petitioner. A copy of the said order is placed on record and marked as 'X' for identification.

3. The order of punishment indicates that the Petitioner has been inflicted with the punishment of stoppage of two annual increments with cumulative effect. This is after conclusion of the Departmental Enquiry and the Enquiry Officer having concluded that the charges levelled upon the Petitioner are proved in the enquiry.

4. The learned Advocate for the Petitioner submits, on instructions that the Petitioner would now initiate an appropriate proceeding since an Appeal provision is also available and she can approach the Appellate Authority for voicing her grievance and this Petition can be disposed off.

5. In view of the above, **this Writ Petition is disposed off.**

6. All contentions of the Petitioner are kept open, if he chooses to avail of the remedy of Appeal.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)