

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

**WRIT PETITION NO.9800 OF 2025**

Kishor Pandurang Padal .. Petitioner  
Vs.  
The State of Maharashtra,  
Through Urban Development Department and Ors. .. Respondents

Mr. Jaydeep Deo with Mr. Onkar Gawade, Advocates for the Petitioner.

Mr. Sachin H. Kankal, Assistant Government Pleader for Respondent No.1-  
State of Maharashtra.

**CORAM : SHREE CHANDRASHEKHAR &  
MANJUSHA DESHPANDE, JJ**

**DATE : 23<sup>RD</sup> JULY 2025.**

**PC. :**

1. Being aggrieved by the order dated 22<sup>nd</sup> June 2018 passed by the respondent-Pune Municipal Corporation by which punishment of stoppage of four increments was imposed upon him and against that an appeal was preferred by him which was dismissed on 9<sup>th</sup> October 2018, the delinquent government employee has approached this Court.

2. Shorn of unnecessary details, we would indicate that there is atleast one good reason for interference with the order dated 22<sup>nd</sup> June 2018. We have glanced through the orders passed by the Departmental Authority, in particular the communication dated 9<sup>th</sup> October 2018, which is an order communicating dismissal of the appeal preferred by the petitioner and find that the said order of dismissal of appeal simply recites that “the appeal is rejected”. A statutory authority must remember that the statutory appeal is an appeal both on questions of law and facts and the dismissal of a statutory appeal by a cryptic order cannot be approved by the Court. While dealing with a statutory appeal, the authority concerned is required to write the facts of the case howsoever briefly, submissions

made by the parties and reasons for allowing or rejecting the appeal. In these facts, we are not inclined to issue notice to the respondent nos.2 and 3 and would dispose of this writ petition by remanding the matter before the appellate Authority for a fresh consideration on the statutory appeal preferred by the petitioner under Section 56 of the Maharashtra Municipal Corporations Act, 1949.

3. The communication dated 9<sup>th</sup> October 2018 rejecting the statutory appeal preferred by the petitioner is quashed. The matter is remanded before the appellate Authority for taking a fresh decision in the matter within a period of eight weeks from today.

4. The writ petition is disposed of.

[ MANJUSHA DESHPANDE, J. ]

[ SHREE CHANDRASHEKHAR, J. ]