



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 WRIT PETITION NO.14673 OF 2025

DHIRAJ AJABRAO DUPARE

VERSUS

THE MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY
LIMITED AND OTHERS

...

Mr. Ajay S. Deshpande, Advocate for petitioner

Mr. A.M. Phule, AGP for State

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 17th JANUARY, 2026

ORDER :

. The petition challenges the order dated 30.04.2025 inflicting the punishment of withholding one increment for a period of one year and recovery of an amount of Rs.5,79,051/- passed by respondent No.3 to be quashed and set aside. Upon query from this Court, learned Advocate for petitioner informs that there is a remedy of statutory appeal available under the service rules and accordingly, he has already preferred the statutory appeal before the Appellate Authority. He submits that during the pendency

of the appeal the execution proceedings has been initiated and that is the cause for which he has come before this Court by way of present petition.

2 We have heard learned Advocate for petitioner. When there is a statutory appeal provided under the rules and petitioner has already availed the said remedy which is pending for the adjudication, it would not be appropriate for this Court to exercise the powers under Article 226 of the Constitution of India. We, therefore, dismiss the writ petition on the said ground with directions to the appellate authority to decide the appeal within a period of two months from today. If it is not possible to finally decide the appeal, in that eventuality, if the petitioner prefers a stay application, then the appellate authority may consider and decide the said application, as expeditiously as possible.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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