

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

WRIT PETITION NO. 8182 OF 2025

Prathmesh Rajendra Patil

...Petitioner

Versus

The State Of Maharashtra Thru. Secretary And Ors

...Respondents

Ms. Preeti Walimbe, a/w Adv. Prajyot Arudhar, Advocate for Petitioner.

Mr. Suresh Pakale, a/w Adv. Nilesh Desai, for Respondent No. 3.

Mr. Jagdish G. Aradwad, for Respondent No. 2.

Mr. Vilas Tapkir, for Respondent Nos. 4 to 6.

Mr. P. P. Kakade, Addl. G.P. a/w Mr. S.H. Kankal, AGP for State.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 24 MARCH, 2026

P.C.:-

1. By this writ petition, the Petitioner seeks quashing and setting aside the termination order bearing No. 52 dated 29 May 2025, mainly on the ground that it has been passed in violation of the principles of natural justice, and in particular Rule 8 of the Maharashtra Civil Services (Disciplinary and Appeal) Rules, 1979 ("the said Rules" for short), which provides the procedure for imposing a major penalty in cases such as termination of the Petitioner.

2. The Petitioner was absorbed into service with Respondent No. 2 pursuant to an appointment order dated 5 January 2016 to the post of Sectional Engineer (Civil), following an online application submitted by the Petitioner in response to an advertisement issued by Respondent No. 2 on 5 September 2014 for a total of 7 posts of Sectional Engineer (Civil) and five other posts.

3. The Petitioner has been terminated from service vide the impugned order dated 29 May 2025 without an inquiry as contemplated under Rule 8 of the said Rules, which mandates that no order imposing a major penalty shall be made except after an inquiry is held, as far as may be, in the manner provided under the said Rule read with Rule 9.

4. It is an admitted position that the impugned termination order has been passed without an inquiry, by Respondent No. 2.

5. We are of the view that the impugned termination order is in violation of the principles of natural justice. Without going into the merits of the present writ petition, we set aside the impugned termination order on this ground alone.

6. Pursuant to the above, Respondent No. 2 shall act in due regard to Rule 8 of the said Rules if they so deem appropriate, comply with the principles of natural justice, and, pass a reasoned order in accordance with law after hearing the Petitioner and Respondent No. 3.

7. We make it clear that we have not gone into the merits of the present

writ petition while passing this order.

8. All contentions of the parties are expressly kept open.
9. The Writ Petition is accordingly disposed of.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]