

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

WRIT PETITION NO. 1688 OF 2015

Prakash Venkatrao Padalwar ... Petitioner

V/s.

Maharashtra State Road Transport
Corporation & others ... Respondents

Ms. Vasundhara Rao i/b. Exponent Attorneys Law for the petitioners.
Mr. G.S. Hegde for respondents 1 to 3.
Mr. P.P. Kakade, AGP for the State.

**CORAM : NARESH H. PATIL AND
A.S. GADKARI, JJ.**

13th March, 2015.

P.C.

Heard learned Counsel for the parties.

2. The petitioner was working as Divisional Engineer (Electrical). The petitioner alongwith one Mr. Nagendra Devke was arrested on 26th December, 2013 in a trap case and a crime was registered. The petitioner is in service of respondent no.1. On the same day the respondent suspended the petitioner from services. The chargesheet

was served on the petitioner on 25th April, 2014. So far the enquiry is not completed.

3. Learned Counsel appearing for the petitioner submits that extension of suspension order was contrary to the Rules of Employees Service Regulations of the respondents. The enquiry ought to have been completed within stipulated time period.

4. There is no case made out against the petitioner for initiating departmental enquiry. Therefore, petitioner shall be continued in service. Learned Counsel placed reliance on reported judgment in the case of **Ajay Kumar Choudhary Vs. Union of India & ors. (Civil Appeal No. 1912/2015)** and regulations framed by the respondents.

5. The learned Counsel appearing for respondent no.1 on instructions submits that initially petitioner was suspended and thereafter in accordance with the rules and regulations framed by the Standing Committee, it continued the suspension orders. Considering the seriousness of the charge and the fact that offence under Prevention of Corruption Act was registered against the petitioner and petitioner was arrested an enquiry is required to be initiated.

6. On instructions, learned Counsel appearing for respondent no.1 submits that enquiry shall be completed within one month from today. We direct that enquiry shall be completed according to the statement made above. We do not express any opinion on merits. With aforesaid directions, Writ Petition is disposed of.

(A.S. GADKARI, J.)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.