

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION No.2729 of 2015

Shamsher Khan Zameer Khan

...Versus...

State of Mah. Through its Secretary, Department of Education and Sports, Mumbai
and 3 others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri H.N. Potbhare, counsel for petitioner.
Shri D.M. Kale, AGP respondent nos. 1 to 3.
Shri Khare, counsel for respondent no.4.

**CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.**

DATE : 08.09.2015

By this petition, the petitioner challenges the suspension order dated 16.4.2015 suspending the petitioner pending inquiry. The petitioner was working as a head master when he was taken in police custody from his rented house wherein he was found gambling. The management initiated inquiry against the petitioner and suspended the petitioner pending inquiry. The petitioner has challenged the suspension order by the impugned petition.

The only point canvassed by the petitioner for challenging the impugned order is that permission of the Education Department was not sought before the management suspended the petitioner.

There is no merit in the submission made on behalf of the petitioner as it is pointed out by the learned Assistant Government Pleader that the management had sought the

permission of the Education Officer and the Education Officer had granted permission for the suspension of the petitioner.

In view of the aforesaid, there is no reason to interfere with the order of suspension pending inquiry. At the most, a direction can be issued to the management to complete the inquiry as early as possible. Hence, we direct the management to conclude the inquiry as early as possible and positively within three months. If the subsistence allowance is not yet paid, the respondent management should pay the same to the petitioner immediately. With the aforesaid observations and directions, the writ petition is disposed of with no order as to costs.

JUDGE

JUDGE

Hirekhan