

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 3361 of 2015

(Prahalad Tanbaji Pawar Vs. State of Mah. Dept. of Cultural Activities through
its Principal Secretary and ors.)

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

Court's or Judge's order

Mrs. U. A. Patil, Advocate for the petitioner
Shri R. E. Moharir, Advocate for the respondent nos. 3 & 4
Shri Amit Balpande, AGP for the respondent nos. 1 and 2

**CORAM : Smt. Vasanti A. Naik and
Prasanna B. Varale, JJ.**

DATE : 4-12-2015.

Heard.

By this petition, the petitioner has challenged the order of suspension dated 15-4-2015.

It is stated on behalf of the petitioner that though the respondents have suspended the petitioner with effect from 21-4-2015, the Departmental Enquiry is not initiated till date. It is stated that the petitioner is also not paid the subsistence allowance.

Shri Moharir, the learned counsel for respondent nos. 3 and 4 states that the petitioner has misappropriated a huge amount and the Departmental Enquiry would be initiated against the petitioner.

Despite the specific query to the counsel for the respondents on the past two dates of hearing to the learned counsel as to when would be the respondents initiate and conclude the enquiry against

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the petitioner, there is no answer. It is, however, stated that the petitioner is not paid the subsistence allowance as the petitioner is not reporting to the regional office at Nagpur after the change of Headquarter.

Mrs. Patil, the learned counsel for the petitioner states that the petitioner has reported to the regional office since the order of suspension but the respondents have ignored the petitioner and has not noted the said fact.

Without going into the correctness of the statements made on behalf of the parties, we dispose of the writ petition with a direction to the respondents to complete the Departmental Enquiry against the petitioner as early as possible and pay the subsistence allowance to the petitioner in accordance with the rules from today as it is stated that the petitioner would report on duty from tomorrow.

The question of payment of subsistence allowance from the date of the order till date is kept open. No costs.

JUDGE

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