

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.4045 OF 2015**

**Subhash S/o Babulal Jaiswal Vs. Managing Director, MSEDCL  
and others.**

**WITH**

**WRIT PETITION NO.4040 OF 2015**

**WRIT PETITION NO.4071 OF 2015**

**WRIT PETITION NO.5821 OF 2015**

**WRIT PETITION NO.5572 OF 2015**

**WRIT PETITION NO.5822 OF 2015**

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| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
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Mr.Pradeep Shahane, Mr.A.S.Deshpande, advocates for the Petitioners.

Mrs.M.A.Deshpande, Mr.B.V.Virdhe, A.G.Ps. for the State.

Mr.A.S.Bajaj, advocate for Respondent No.4.

Mr.S.M.Godsay, advocate for Respondent Nos.1 and 2 in W.P.No.5822/2015.

**CORAM : S.V.GANGAPURWALA AND  
K.L.WADANE, JJ.**

**Date : 06.10.2016.**

**PER COURT :**

1. We have heard Mr.Shahane, Mr.Deshpande learned counsel for respective petitioners and Mr.Bajaj and Mr.Godsay, learned counsel for respective Respondents.

2. Rule. Rule returnable forthwith. With the consent of the parties, the petitions are taken up for final hearing.

3. Vide our Judgment dated 23.9.2015 in W.P.No.4758/2014

with connected Writ Petitions we had disposed of the said Writ Petitions which were also assailing the continuance of Departmental Inquiry pending the Criminal Prosecution. The learned counsel for the petitioners and Respondents agree to adopt the same course in the present Writ Petitions.

4. In view of the reasons given under Judgment dated 23.9.2015 in W.P.No.4758/2014 with connected Writ Petitions, we pass the following order :

I. We direct the Court dealing with the Criminal charges against the petitioners to conclude the proceedings as expeditiously as possible, and preferably within a period of one year from the date of this order.

II. The interim orders granting stay to the ongoing disciplinary proceedings in each of the case shall remain in force for a period of one year from the date of this order.

III. In case the charge sheet is not filed or belatedly filed, the interim orders granting stay to the ongoing disciplinary proceedings in such case shall remain in force for a period of one year from the date of this order and the disciplinary proceedings initiated against the petitioners in those cases shall be resumed and concluded by the Enquiry Officer thereafter.

IV. We hope and trust that the trial Court will take effective steps to ensure that the witnesses are served, appeared and

examined accordingly.

V. The petitioners, who are accused in criminal case, shall cooperate with the trial Court for early disposal of criminal proceedings.

VI. In case, the trial is not completed within a period of one year from today, despite the steps which the trial Court has been directed to take, the disciplinary proceedings, initiated against the petitioners, shall be resumed and concluded by the Enquiry Officer.

VII. We make it clear that the interim orders staying ongoing disciplinary proceedings shall in that case stand vacated upon expiry of a period of one year from the date of this order.

VIII. Registry may communicate this order to the concerned Courts, where the criminal prosecutions against the petitioners are pending.

5. The Writ Petitions are disposed of accordingly. Rule is made absolute in above terms.

**( K . L . WADANE , J . )**

**( S . V . GANGAPURWALA , J . )**

Dt.06.10.2016.  
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