

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 4402 OF 2016

Ramesh s/o Govind Pawar
age 40 years, occ. Service as
Junior Technician
MSEDCL
Prsently posted to work in
Aundha Section, aundha
Dist. Hingoli
r/o At Post 'Barad Torna Tanda
Tq. Mudkhed, Dist. Nanded

.. PETITIONER

VERSUS

1. Maharashtra State Electricity
Distribution company Ltd. (MSEDCL)
Having its office at Prakashgad
6th Floor, Station Road, Bandra (East)
Mumbai 400 051.
Through its Managing Director
2. Regional Executive Director
And Competent Authroity
MSEDCL, having its office at
Prakash Bhavan, 3rd Floor,
Senapati Bapat Road,
near chatushhrungi Temple Pune.

.. RESPONDENTS

Mr. A.S. Deshpande, advocate for petitioner.
Mr. A.S. Bajaj, advocate for respondent no. 1.

**WITH
WRIT PETITION NO. 7006 OF 2016**

Sandeep s/o Shalikrao Patil
age 32 years, occ. Servcie as
Junior Engineer (Suspended)
r/o Row Houses, Anand Nagar
Bodwad, Tq. Bodwad
Dist. Jalgaon

.. PETITIONER

VERSUS

1. Maharashtra State Electricity
Distribution company Ltd. (MSEDCL)

Having its office at Prakashgad
6th Floor, Station Road, Bandra (East)
Mumbai 400 051.
Through its Managing Director

2. The Regional Executive Director II
And Competent Authority
MSEDCL having its office at Building No. 2
Flat N o. 1 an 2, Officers' Colony
Ganeshkhind Road, Pune 411 006.

.. RESPONDENTS

Mr. A.S. Deshpande, advocate for petitioner.
Mr. A.S. Bajaj, advocate for respondent no. 1.

**WITH
WRIT PETITION NO. 11379 OF 2016**

Balasaheb Baliram Gaikwad
age 39 years, occ. Service as Lower Division Clerk
r/o Parvati nagar, Jayakwadi Road,
Parbhani

.. PETITIONER

VERSUS

1. Maharashtra State Electricity
Distribution Company Limited
Through its Managing Director
6th Floor, Prakashgad, Bandra (East)
Mumbai 400 051
through its Managing Director
2. The Executive Director (Distribution 4 / Projects)
And Competent Authority,
M.S.E.D.C. Ltd.
4th Floor, Anant Kanekar Marg
Prakashgad, Station Road,
Bandra (East)
Mumbai 400 051.

.. RESPONDENTS

Mr. A.S. Deshpande, advocate for petitioner.
Mr. A.S. Bajaj, advocate for respondent no. 1.

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**CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 19th DECEMBER, 2016.**

ORAL JUDGMENT : (PER R. M. BORDE, J.)

1. The facts giving rise to the instant petition are identical in all respects to the facts of the decided group of matters i.e. W.P. No. 4045 of 2015 (Subhash s/o Babulal Jaiswal Vs. Managing Director, MSEDCL & others), and companion matters, decided on 06.10.2016 and as such, instant petition can be disposed of by issuing similar directions, as have been issued in the aforesaid group of petitions.

2. Rule. Rule made returnable forthwith and heard finally by consent of learned Counsel for respective parties.

3. In view of the law laid down by the Hon'ble Supreme Court in the matter of State Bank of India and others Vs. Neelam Nag, 2016(8) SCALE 826 and for the reasons recorded in the judgment delivered by Division Bench of this Court in W.P. No. 4758 of 2014 and companion matters, decided on 23.09.2015, these petitions stand disposed of with following directions :

(I) We direct the Court, dealing with the Criminal charges against the petitioner, 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 order, granting stay to the ongoing disciplinary proceedings, 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 order, 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 petitioner in those proceedings 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 Court where the criminal prosecution against the petitioner is pending.

4. Writ petitions stand disposed of accordingly. Rule is made absolute in above terms.

(SANGITRAO S. PATIL)
JUDGE

(R. M. BORDE)
JUDGE

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