

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 3932 OF 2016**

The Government of Maharashtra	..	Petitioner
versus		
Shri G. S. Mahadik	..	Respondent

WITH**WRIT PETITION NO. 3817 OF 2016**

The Government of Maharashtra	..	Petitioner
versus		
Shri Ramesh Nagothkar	..	Respondent

WITH**WRIT PETITION NO. 3818 OF 2016**

The Government of Maharashtra	..	Petitioner
versus		
Shri A. B. Ghodeswar	..	Respondent

WITH**WRIT PETITION NO. 4439 OF 2016**

The Government of Maharashtra	..	Petitioner
versus		
Shri K. E. Limje	..	Respondent

WITH**WRIT PETITION NO. 4440 OF 2016**

The Government of Maharashtra	..	Petitioner
versus		
Shri Nandkumar Sable	..	Respondent

Mr. A. I. Patel – AGP for State - Petitioner.

Mr. Manoj Patil for Respondent No. 1 in WP 3932 of 2016, 3817 of 2016 and 4439 of 2016.

Mr. Vikram V. Pai for Respondent No. 1 in WP 4440 of 2016 and 3818 of 2016.

-
**CORAM: V. M. KANADE AND
M. S. SONAK, JJ.
DATE : 30 JUNE 2016**

P.C.:

1] These petitions were admitted by us on 27th June 2016. However, taking into consideration the only issue which falls for consideration before us, on the request made by the learned counsel appearing on behalf of the State, we have taken up these matters for final disposal.

2] The State Government has filed these petitions being aggrieved by the judgments and orders passed by the Maharashtra Administrative Tribunal dated 11th November 2014 and 16th June 2015. Learned counsel appearing on behalf of the State submitted that the Tribunal has given a direction to the State to conclude departmental enquiry against the respondents within a period of six months and in the event of failure to complete the enquiry the Tribunal observed that departmental enquiries to stand quashed. Learned counsel appearing on behalf of the State submitted that in fact enquiries were completed within the stipulated period and reports were submitted on 13th March 2015. However, action on the reports were not taken.

3] Mr. Patil, learned counsel appearing on behalf of the respondents submitted that there is a gross delay on the part of the

petitioner State in completing the departmental enquiries and despite further time being granted by the Tribunal, no action was taken by them and therefore the Tribunal was justified in quashing the enquiries.

4] In our view, though the Tribunal was justified in laying down an outer limit for disposal of the departmental action, it was certainly not justified in quashing the departmental enquiries on non completion of the enquiries within the stipulated period. We therefore set aside the impugned orders to the extent it quashes the departmental enquiries. We however direct the State Government to take action on the reports within three months from today. With these directions, writ petitions are partly allowed and are disposed of. Liberty is however granted to the respondents to apply for further directions and orders in the event no action is taken by the State Government within three months.

(M. S. SONAK, J.)

(V. M. KANADE, J.)

chandka