

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3982 OF 2015**

Rajvinder Kaur Saini

....Petitioner

versus

The State of Maharashtra through
Chief Secretary Education Department,
Mantralaya, Mumbai and ors.

...Respondents

Mr. Rakesh R. Singh, advocate for the petitioner.

Mr. Nikhil Chavan i/b. Mr. A. S. Deshmukh, advocate for respondent Nos.
2, 3 and 4.

Mr. V. M. Mali, AGP for the State.

**CORAM : RANJIT MORE &
ANUJA PRABHUDESSAI, JJ.**

DATE : 2nd AUGUST, 2016.

P. C. :

Heard Mr. Singh, learned counsel for the petitioner and
Mr. Chavan, learned counsel for respondent Nos. 2 to 4.

2. By this petition, the petitioner is seeking revocation of his
suspension order.

3. Mr. Singh, learned counsel for the petitioner submits that
though the petitioner is suspended by an order dated 28th February,
2015, neither an enquiry is initiated nor the suspension allowance is
paid as per the Rules. Learned counsel for respondent Nos. 2 to 4 stated
that the enquiry is already initiated but it cannot be concluded because
of non-cooperation of the petitioner. He stated that the petitioner

would be paid suspension allowance as per the Rules including Rule 35(4) of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981. He also submitted that the enquiry against the petitioner would be completed expeditiously, and within a period of two months from today, provided the petitioner cooperates with the enquiry. Learned counsel for the petitioner submits that the petitioner would cooperate with the enquiry.

4. In the above circumstances, following directions are issued :

1. Respondent Nos. 2 to 4 are directed to conclude the disciplinary enquiry initiated against the petitioner as expeditiously as possible and preferably within a period of two months from today.
2. The petitioner shall cooperate with the said enquiry.
3. Respondent Nos. 2 to 4 shall pay the suspension allowance to the petitioner as per the Rules including Rule 35(4) of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981.

The petition stands disposed of.

(ANUJA PRABHUDESSAI, J.)

[RANJIT MORE, J.]