

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

WRIT PETITION NO.699 OF 2016

Ambadas Bhiwaji Lokhande

-VS-

The Chief Executive Officer, Zilla Parishad and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.V.B.Gavali, counsel for the petitioner.

Mr.Majid Shaikh, counsel for the respondent Nos.1 and 2.

CORAM : SMT. VASANTI A. NAIK &
V. M. DESHPANDE, JJ.

DATE : 15.04.2016.

By this writ petition, the petitioner challenges the order of suspension, dated 05/12/2015 suspending the petitioner under the provisions of Rule 3 of the Maharashtra Zilla Parishads District Services (Discipline and Appeal) Rules, 1964.

Shri Majid, the learned counsel for the Zilla Parishad, states that the respondent-Zilla Parishad has initiated an enquiry against the petitioner in terms of Rule 6 of the Rules of 1964 and the statement of allegations is already served on the petitioner.

Shri Gavali, the learned counsel for the petitioner, states that an enquiry cannot be initiated against the petitioner on the allegations that are mentioned in the statement of allegations.

It is not for this Court to consider, in exercise of the writ jurisdiction whether an employer should initiate an enquiry against its employee in respect of a particular wrongful action. It would be necessary for the petitioner to participate in the enquiry proceedings, if so desired and defend the charges/allegations levelled against him. An appropriate remedy is provided against any adverse action that is taken, after the culmination of the enquiry.

In the circumstances of the case, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE