

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

WRIT PETITION NO. 2475 OF 2015

(Pravin Mahadevra Badukale vs. Maharashtra State Electricity Distribution Company Ltd., thr. its
Executive Director & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
P.N. DESHMUKH, JJ.
MARCH 09, 2016.**

Heard Shri Parchure, learned counsel for the petitioner and Shri A.D. Mohgaonkar, learned counsel for the respondents.

The parties do not dispute that the facts herein are covered by the orders dated 19.08.2015 in Writ Petition No. 2965 of 2014 and Writ Petition No. 2966 of 2014. Those orders are followed by this Court on 18.02.2016 while disposing of Writ Petition Nos. 2164 of 2015, 2188 of 2015 & 2651 of 2015. All these matters are argued by the present counsel who represent the parties before us.

In this situation, adopting the same reasoning, we proceed to pass the following order :

The fact that orders of suspension have been withdrawn and petitioner is reinstated back in service, is not disputed.

This Court has on 28.04.2015 while issuing notice in the matter, granted ad-interim stay of Departmental Inquiry.

In the order dated 19.08.2015 (supra), this

Court continued interim order as was passed in those petitions till the employer took decision on the question of stay of departmental inquiry in view of criminal prosecution. One of us (B. P. Dharmadhikari, J) is party to order dated 19.08.2015. In this situation, we find that present writ petition can also be disposed of with similar direction to the employer.

We, therefore, direct the respondents to consider whether inquiry instituted against the petitioner needs to be stayed or can be proceeded with considering the pending criminal prosecution under the Prevention of Corruption Act. The petitioner shall be given an opportunity to make appropriate representation before the respondents to take any decision in the matter. The petitioner shall submit his say in the matter within six weeks from today. The respondents shall then take suitable decision after considering that representation within next six weeks.

With these directions, writ petition is disposed of. However, there shall be no order as to costs.

JUDGE

JUDGE

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