

**FARAD CONTINUATION SHEET No.**  
**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**WRIT PETITION NO. 6272/2016**  
 (SATCHIDANAND CHINTAMANI BAHERA **VERSUS** SANT GADGE BABA AMRAVATI UNIVERSITY,  
 AMRAVATI & OTHERS)

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

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 Shri A.P. Raghute, counsel for the petitioner.  
 Mrs. H.Prabhu, A.G.P. for the R-2.

**CORAM : SMT. VASANTI A NAIK AND**  
**MRS. SWAPNA JOSHI, JJ.**

**DATE : NOVEMBER 17, 2016.**

By this writ petition, the petitioner has challenged the order dated 05.02.2016, passed by the Vice Chancellor of the Amravati University suspending the services of the petitioner pending departmental enquiry.

The impugned order is challenged by the petitioner mainly on the ground that the same is not passed in consonance with the principles laid down by the Hon'ble Supreme Court. It is stated that while passing an order of suspension, it would be necessary for the authority to consider the gravity of the misconduct that is required to be enquired into and the disciplinary authority should consider whether it is expedient to keep the employee under suspension. It is stated that though Ordinance No.122 of the Amravati University provides that the suspension can be continued for a period of six months only, the suspension of the petitioner is continued beyond the said period.

Since we do not find any illegality in the order of suspension dated 05.02.2016 in view of the gravity of the misconduct that is required to be enquired into, we are not inclined to issue notice to the Amravati University in this writ petition. It would only be necessary to direct the Amravati University in the circumstances of the case to complete the departmental enquiry as early as possible and to pay the suspension allowance and/or the salary that would be liable to be paid to the petitioner in accordance with the ordinance and the rules.

Hence, without issuing notice to the respondent-Amravati University, we dispose of the writ petition by passing an innocuous order, directing the Amravati University to complete the enquiry as expeditiously as possible so that the petitioner may not be kept under suspension indefinitely and to pay the suspension allowance and/or salary that is payable to the petitioner in accordance with the ordinance or the rules.

Order accordingly. No costs.

**JUDGE**

**JUDGE**

APTE