

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1286 OF 2017
(Namdev Motiram Wagh Vs. The State of Maharashtra and others)

Mrs. Kalpalata Patil-Bharaswadkar, Advocate for
the Petitioner
Mr. A.P. Basarkar, A.G.P. for the respondent/State

CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.

DATE : 11th APRIL, 2017

ORAL ORDER :

We have heard Mrs. Patil-Bharaswadkar, the learned counsel for the petitioner. She submits that the petitioner would complete three months of suspension period on 21st April, 2017. In view of Government Resolution dated 14th October, 2011, the petitioner would file an application with the competent Authority for revocation of the suspension. The Authority may be directed to consider the same and the enquiry initiated against the petitioner be directed to be completed within a stipulated period.

2. We have heard the learned A.G.P. also.

3. It is stated that Government Resolution dated 14th October, 2011 still holds the field. In view of that, the petitioner may make an application after lapse of three months to the competent Authority for re-consideration of the suspension order as required under clause 7A of Government Resolution dated 14th October, 2011. On receipt of such an application, the competent Authority shall take decision upon it on its own merits and in accordance with law expeditiously and preferably within one month from the date of receipt of the application.

4. It is informed that the charges are also framed against the petitioner. In view of that, the enquiry initiated against the petitioner be conducted/completed expeditiously.

5. A grievance is made by the petitioner with regard to the change of his headquarter. The petitioner may file an application with the concerned Authority with regard to the change of headquarter, which shall be considered by the concerned authority on its own merits expeditiously and preferably within fifteen days from the date of receipt of the application.

6. It is made clear that we have not considered the contentions of the petitioner on merits of the matter. They are kept open.

7. With the above directions, the Writ Petition is disposed of. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

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