

**IN THE HIGH COURT OF JUDICATURE  
AT BOMBAY**

**BENCH AT AURANGABAD.**

**WRIT PETITION NO.9909 OF 2016**

The State of Maharashtra  
and others ... Petitioners.

Versus

Sheetal Jayandra Lekurwale  
Sawale. ... Respondent.

...  
Mr.M.M.Nerlikar, A.G.P. for the Petitioners.  
Mr.A.S.Deshmukh, advocate for Respondent.  
...

**CORAM : S.V.GANGAPURWALA AND  
MANGESH S. PATIL, JJ.**

**Date : 08.08.2017.**

**PER COURT :**

1. The State assails the order of the Tribunal allowing Original Application filed by the present Respondent and setting aside the suspension.

2. We have heard Mr.Nerlikar, learned A.G.P. and Mr.Deshmukh, learned counsel for the Respondent.

3. It is not disputed that the Departmental Inquiry initiated against the petitioner is at the final stage. The statement of defence is to be given and Mr.Deshmukh, learned counsel submits that the same would be given within a week. The evidence of Department is over.

4. On earlier occasion, we had asked the present petitioner whether the petitioner can be accommodated in some other division. It was stated on affidavit by the petitioner that the Respondent can be given appointment in other division except Nasik and Pune Division.

5. No purpose would be served now by continuing the suspension. It is more than two years the petitioner is under suspension. Though the Original Application is allowed, this Court has stayed the said order.

6. Considering above, we pass the following order :

(a) The order of the Tribunal is modified

to the extent that the petitioner shall be reinstated in any other Division on the post where the Respondent was working. The said posting shall be given within four (4) weeks.

(b) The Writ Petition is disposed of. No costs.

**(MANGESH S. PATIL, J.)**

**(S.V.GANGAPURWALA, J.)**

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