

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

21 WRIT PETITION NO. 2590 OF 2017

Vijaykumar Sukdev Kumawat.

Petitioner.

Versus

State of Maharashtra & others.

Respondents.

Mr. V.B. Garud, Advocate for the petitioner.

Mr. K.N. Lokhande A.G.P. for the State/respondent No.1.

Mr. Gajendra Jain, Advocate holding for

Mr. M.S. Sonawane, Advocate for respondent Nos. 2 to 5.

CORAM : **S.V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

Dated : **25th July, 2018.**

FINAL ORDER :-

. We have heard Mr. Garud, the learned Counsel for the petitioner. It is submitted that the order of suspension has been revoked and the petitioner is being reinstated.

2. In view of that, only the issue would remain about the Departmental Enquiry. According to the petitioner, the petitioner is not at all at fault. The petitioner had validly given the charge as directed. No purpose would be served by proceeding with the Departmental Enquiry.

3. Any orders passed with regard to Departmental Enquiry would amount to preempting the Departmental Enquiry. The petitioner will have every opportunity to put-forth his case in the Departmental Enquiry. Naturally the case put-forth by the petitioner will have to be considered by the Enquiry Officer and Disciplinary Authority.

4. In light of the above, we are not entering into the merits of the contention with regard to Departmental Enquiry.

5. Even otherwise, if any adverse order is passed, the petitioner would have remedy to assail the same.

6. In light of the above, the Writ Petition is disposed of. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

vdd/