

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

971 WRIT PETITION NO.14841 OF 2021

**PREMANAND AMRUTLAL UPACHARYA
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE SECRETARY AND OTHERS**

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Advocate for Petitioner : Mr. Amol S. Sawant
AGP for Respondent / State : Mr. S.B. Yawalkar
Advocate for Respondent Nos.3 & 4 : Mr. Nilesh N. Desale

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**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 06-09-2022

ORDER ORDER (*PER* SANDEEP V. MARNE, J.) :

. The petitioner was placed under suspension by order dated 04.08.2017. He is facing criminal prosecution. Additionally, departmental enquiry was initiated against him vide memorandum dated 04.10.2017 levelling two charges against him. It is the case of the petitioner that the departmental enquiry is complete and the Enquiry Officer has submitted a report holding him not guilty in respect of charge no.2. So far as charge no.1 is concerned, it is opined by the Enquiry Officer that the criminal prosecution is still pending and final decision may be taken depending on the outcome of the criminal prosecution.

2. The petitioner has requested for revocation of suspension. The Chief Executive Officer, Z.P, Dhule has submitted a proposal dated 14.10.2020 to the Divisional Commissioner, Nasik for revocation of the petitioner's suspension. It is submitted that the Suspension Review Committee is yet to take decision on the said proposal.

3. In these circumstances, we dispose of the Writ Petition by directing the Suspension Review Committee to take a final decision on the proposal submitted by the Chief Executive Officer, Z.P, Dhule. Such decision be taken within a period of six weeks from today.

4. Writ Petition stands disposed of accordingly.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)