



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

WRIT PETITION NO. 11319 OF 2023

PRAKASH SAKRU CHAVAN

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS**

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Mr. Sujeet Joshi, Advocate h/f Mr. R. B. Ade, Advocate for
Petitioner

Mr. S. K. Tambe, AGP for Respondent No.1

Mr. A. S. Bajaj, Advocate for Respondent Nos. 2 to 4

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 03.01.2024

PER COURT :-

1. We have heard the learned Advocates for the respective sides and perused the extensive paper-book. We have perused the affidavit-in-reply filed by the Respondents. We are informed that a detailed charge-sheet is being prepared to be served upon the Petitioner. Reasons are assigned for the time taken for preparing the charge-sheet as numerous acts are coming to light which need to be investigated considering the several issues pertaining to illegal allotment of electricity connections as well as other monetary aspects.

2. The learned Advocate for the Respondents submits that it is clearly stated in the suspension order as regards the reason for issuance of the suspension order and immediately thereafter, a committee comprising of seven members was constituted for conducting a preliminary enquiry, only to assess whether a full fledged enquiry needs to be conducted. The report of the preliminary enquiry, running into eight pages and the documents appended thereto (124 pages), is tendered to the company by the Chairman of the Committee on 07.11.2023. A details set out would constitute material for preparation of a charge-sheet. It is further canvassed that the Petitioner is not presumed to be guilty. After issuance of charge-sheet, the enquiry would be conducted within a period of four months.

3. At this juncture, the learned Advocate for the Company submits that the charge-sheet would be issued to the Petitioner within a short while. We direct the Company to issue a charge-sheet to the Petitioner within 10 (ten) days. Thereafter, the enquiry would be concluded within four months.

4. The learned Advocate for the Petitioner submits on instructions from the Petitioner present in the Court that he is agreeable with the said statement and prays that the enquiry should be conducted within 4 months and he will co-operate. He prays that this Petition can be disposed off.

5. We make it clear that as the Petitioner is presently at a different location, on account of his suspension followed by transfer, the Petitioner would be paid TA/DA as per the admissible allowances for attending the enquiry from his present location (though suspended), to Jalna where the enquiry will be conducted. Both the parties shall not seek adjournments on unreasonable or trivial grounds. The suspension allowance shall be paid routinely without any lapse.

6. In view of the above statements and directions, with the consent of the Petitioner, **this Petition is disposed off.**

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]