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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

903 WRIT PETITION NO. 10725 OF 2024

RAVINDRA GULAB SHELAR

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
OTHERS

Mr.S.D.Kotkar, Advocate for the Petitioner.
Mr.V.M.Kagne, AGP for the Respondent/State.
Mrs.Kavita Bhale, Advocate for Respondent No.3.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : OCTOBER 3, 2024

PER COURT :

1. This case pertains to an earlier departmental enquiry having been vitiated and a denovo enquiry having been ordered. The Petitioner had demanded certain documents. According to him, the list of documents is at page No.115 of the Writ Petition paper book. We have perused the demand put forth by the Petitioner and we find that before the progress of the departmental enquiry, the petitioner seeks various pieces of evidence as to how the charges can be said to be proved. An enquiry cannot be conducted in such fashion. Admittedly, because of such communications by the Petitioner even since March

2024, the enquiry has been scuttled and no progress is made. The learned Advocate for the Zilla Parishad has placed on record a compilation of 17 pages, which is marked as 'X' collectively for identification.

2. We have perused the list of documents, which have been supplied to the Petitioner appearing on page No.10 of the compilation.

3. The learned Advocate for the Petitioner submits that he would forthwith submit the reply to the charge sheet. Considering the passage of several months on frivolous grounds, we direct the Petitioner to submit the reply to the charge sheet on or before 07.10.2024.

4. In view of the above, after the Petitioner delivers the reply to the charge sheet on 07.10.2024, the enquiry shall proceed in accordance with the Law, as expeditiously as possible. The Petitioner shall refrain from seeking adjournments on unreasonable or frivolous grounds, lest, the employer would be justified in progressing in the enquiry to the next stage. Considering that the suspension allowance has not been paid to the Petitioner in view of the peculiar facts as stated

above, and as the Zilla Parishad submits that as the arrears of suspension allowance will be cleared, we expect such arrears to be paid to the Petitioner in 2 equated monthly installments, out of which the first installment be paid to the Petitioner on or before 25.10.2024 and the next installment be paid on or before 30.11.2024.

5. With the above directions and by the consent of the parties, **this Petition is disposed off.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)