



Amrut

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.645 OF 2023

VIKAS V. KAUSHIK

... PETITIONER

Versus

**STATE OF GOA THR CHEIF SECRETARY
AND 2 ORS**

... RESPONDENTS

Mr S.D. Lotlikar, Senior Advocate with Mr T. Sequeira, Ms S. Kenny and Ms P. Volvoikar, Advocates for the petitioner.
Mr S. Priolkar, Additional Government Advocate for the Respondents.

**CORAM:- M. S. KARNIK &
NIVEDITA P. MEHTA, JJ.**

DATED :- 19th November, 2024

P.C.:

Heard Mr Lotlikar, learned Senior Advocate for the petitioner and Mr Priolkar, learned Additional Government Advocate for the respondents.

2. After the matter was argued for some time, Mr Priolkar on instructions, submits that the impugned order shall stand withdrawn. However, the respondents propose to hold regular departmental inquiry against the petitioner. It is obviously open for the respondents to hold the inquiry. In this view of the matter, as the impugned order stands withdrawn, the petition has worked itself out. The petitioner

stands reinstated in the service. In the facts of the present case, as at the time of passing of the impugned order, the petitioner was under suspension, we are inclined to accept the submissions of the learned Additional Government Advocate that consequent to his reinstatement, the petitioner's suspension would continue. We refrain from making any observations which may influence the disciplinary proceedings. The continuation of the petitioner's suspension is subject to the provisions of the relevant service rules.

3. The petitioner is entitled to the arrears of subsistence allowance. The petition is disposed of. We have not expressed any opinion on the merits of the disciplinary inquiry. All contentions are kept open.

4. In view of the disposal of writ petition, nothing survives in Misc. Civil Application No.1633 of 2024(F) and the same is accordingly disposed of.

NIVEDITA P. MEHTA, J.

M. S. KARNIK, J.