



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.321/2023

Sudhir Shankarrao Suradkar .Vs. Dr. Punjabrao Deshmukh Krishi Vidyapeeth,
Akola, through its Registrar and Others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. B. G. Kulkarni, Advocate for petitioner.

CORAM : ANIL L. PANSARE, J.

DATE : 19.06.2024

Heard Mr. B. G. Kulkarni, learned counsel for the petitioner. None appears for the respondents, though served.

2. Challenge is to the order dated 03.01.2022 passed by respondent no.3 – Grievance Committee constituted by Dr.Punjabrao Deshmukh Krishi Vidyapeeth, Akola, thereby dismissing the grievance application filed by the petitioner, who was working as Deputy Registrar.

3. The petitioner was placed under suspension on 01.07.2011 upon certain allegations. An inquiry was conducted. The inquiry report dated 31.01.2013 was submitted by the Inquiry Officer, stating therein that the petitioner was found guilty of charge Nos.1, 4 and 8. The finding of the Inquiry Officer was contested before the Vice Chancellor. The Vice Chancellor, vide order dated 01.11.2013, has imposed punishment of stopping two increments (temporarily) and for treating the period of his suspension as suspension. Accordingly, the period of 1 years 9 months 28 days has been

deducted while determining the qualifying service for pensionary benefits. Meantime, the Vice Chancellor, was pleased to revoke the suspension and reinstate the petitioner.

4. The petitioner approached the Grievance Committee as there is no provision to file appeal against the order of the Vice Chancellor.

5. During the course of hearing before the Grievance Committee, the petitioner made a statement that he was ready to forego arrears of salary for the suspension period. However, the Committee noted that the petitioner has no objection for the financial losses of whatsoever nature and accordingly dismissed the grievance.

6. In my view, the Committee has apparently committed error in understanding the statement made by the petitioner inasmuch as if the petitioner has to let go the entire financial benefits, he would not have approached the Grievance Committee at all. There is, therefore, every reason to believe that the petitioner had made a statement that he is ready to let go the financial benefits relating to the suspension period only i.e. 1 Year 9 Months 28 days.

7. Having said so and because none is appearing for the Vidyapeeth, I deem it appropriate to remand the matter back to the Grievance Committee to decide the grievance afresh, in accordance with the provisions of law.

8. The order impugned is accordingly quashed and set aside. Grievance Application filed by the petitioner is restored on the file of the Committee. The petitioner shall appear before the Committee on 08.07.2024 at 11:00 a.m. The Committee shall take a decision within 8 weeks thereafter.

The writ petition is disposed of.

(Anil L. Pansare, J.)

Kahale