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

953 WRIT PETITION NO. 13346 OF 2024

PRASHANT BHAGWANSINGH KACHHAWA

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND ANOTHER

Mr. K.G. Salunke, Advocate for the petitioner.

Ms. Chaitali Choudhari Kutti, AGP for the respondent-State.

**CORAM : KISHORE C. SANT &
ABASAHEB D. SHINDE, JJ.**

DATE : 11.12.2025

PC :-

01. This petition challenges an order of suspension passed by the respondent-employer. It is contention of the petitioner that the order is stigmatic. The petitioner approached before the learned Maharashtra Administrative Tribunal (MAT). However, the learned MAT dismissed the original application. Therefore, the petitioner is before this Court.

02. It is submission of the petitioner that the order of suspension itself is posed as stigmatic and therefore it should be revoked. Second ground in the petition is that though the petitioner though was suspended, charge-sheet is not filed within 90 days and on that count also the suspension ought to have been revoked.

03. Learned AGP has now placed on record a copy of order dated 10.11.2025, reinstating the petitioner in service, after holding inquiry and after imposing punishment of censure. There is another order dated 03.11.2025, wherein the punishment of censure is awarded to the

petitioner. It is say of the learned AGP that since now the suspension is already revoked and the petitioner is already reinstated, the petition become infructuous. However, there is nothing in the order, whether the suspension period is treated as such or whether it is a period spent on duty.

04. This Court finds that treating the suspension period as such is not a part of sentence or award. This period will have to be treated as period spent on duty. In view of that, this Court finds that this petition can be allowed with such clarification. In view of this, the order passed by the learned MAT dated 23.07.2024 in Original Application No. 44 of 2023 is quashed and set aside. Consequences to follow.

05. This Writ Petition is disposed off in above terms.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]