

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11201 OF 2024

Pandurang Agencies

...Petitioner

Versus

The State of Maharashtra
Through the Secretary and Anr

...Respondents

Mr. Dushyant Pagare, *for the Petitioner.*

Mr. Yuvraj D. Patil, AGP *for Respondent-State.*

CORAM : SOMASEKHAR SUNDARESAN, J.
DATE: DECEMBER 1, 2025

ORDER :

1. Rule. By consent, made returnable forthwith, and taken up for final hearing and disposal.
2. A challenge in this Writ Petition is to the order dated September 12, 2022 which is the product of a challenge to an order dated August 29, 2022. It is seen from the record that the hearing in the matter was first conducted on August 29, 2022 which was called for on August 25, 2022, *after* which, specific written charges were presented to the Petitioner by a notice dated August 30, 2022.
3. The Petitioner was suspended by an order dated August 25, 2022 while the proceedings were underway. It is seen from both the

impugned orders that the stance taken by the authorities is that despite an opportunity to reply having been given, there has been no reply whatsoever.

4. However, it is an admitted part of the record that a reply dated September 5, 2022 had been filed and the same has not been considered or dealt with. Worse, the findings specifically record that no reply has been made, based on which the first cancellation order was passed on September 12, 2022.

5. In these circumstances, without disturbing the suspension order dated August 25, 2022, the matter is remanded back to the “Notified Authority” referred to in Exhibit ‘C’ to the Petition, so that a reasoned order can be passed dealing with the submissions made by the Petitioner in his reply dated September 5, 2022. The Writ Petition is finally disposed of in the aforesaid terms.

6. The Petitioner is directed to appear before the said authority before **4:00 p.m.** on **December 8, 2025**. The authority shall then issue further instructions on how to proceed further.

7. Nothing contained in this order is a comment on the merits of the matter. The file is being remitted back to the first authority only

because the order passed by that authority is inconsistent with the record as stated above. The reply, however sketchy or inappropriate, must be positively dealt when an order is passed.

8. In these circumstances, that the Petition is being *finally disposed of* in the aforesaid terms. Rule is made absolute accordingly.

9. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]