URMILA PRAMOD INGALE
Digitally signed by URMILA PRAMOD INGALE
Date: 2026.01.23 16:20:49 +0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13881 OF 2025

Ninganna Kallanna Patil … Petitioner
Versus
The State of Maharashtra …. Respondent

****

Mr. Akshay Kapadia i/b Gurubala Birajdar, for the Petitioner.
Mr. N.C.Walimbe Addl GP a/w Smt.V.S. Nimbalkar, AGP for the Respondent-State.

****

CORAM : M.S.KARNIK &
S.M.MODAK, JJ.

DATE : 23rd JANUARY, 2026

ORAL ORDER (PER M.S.KARNIK, J.) :

1. The Petitioner was working as a Chief Executive Officer with Talegaon Dabhade Municipal Council. An FIR came to be filed against the Petitioner for rash and negligent driving in a drunken state. The Petitioner was suspended from service on 08/07/2024 pending departmental enquiry. It is submitted that the departmental enquiry has commenced and even the cross examination of the witnesses is under progress.

2. The Petitioner filed an Original Application before the

Tribunal seeking revocation of the order of suspension on various grounds. The Tribunal by the impugned order dated 15/04/2025 has dismissed the Original Application.

3. Learned counsel for the Petitioner submitted that in respect of the criminal proceedings that were initiated against him, the same has resulted in his acquittal pursuant to the order of the trial Court dated 07/04/2025. It is however submitted that inadvertently, the fact of the Petitioner's acquittal could not be placed for the consideration of the Tribunal when the impugned order came to be passed. Learned counsel for the Petitioner further made a grievance that though the enquiry commenced as far back as on 08/07/2024, the disciplinary proceedings are still on-going. It is submitted that such delay is seriously causing prejudice to the Petitioner and therefore suspension deserves to be revoked.

4. We have heard learned Additional Government Pleader appearing for the Respondent-State. Learned Additional Government Pleader pointed out that aforesaid is one of the charges. The Petitioner is also chargesheeted for other serious charges of misbehavior with women employees. These are

obviously matters which are subject matter of the disciplinary enquiry over which we do not wish to make any observations at this stage.

5. It is the submission of the Petitioner that he wants to place these facts before the Tribunal and in view of the delay in completion of the enquiry, wants to prefer Original Application seeking revocation of the order of suspension on the aforesaid grounds.

6. Considering the passage of time, liberty as prayed for is granted to the Petitioner to file a fresh Original Application before the Maharashtra Administrative Tribunal raising all permissible contentions including question of delay in completion of the enquiry thereby seeking revocation of the suspension. It is made clear that if such an Original Application is filed, the same shall be dealt with on its own merits and in accordance with law and without being influenced by the observations made by the Tribunal in the impugned order.

7. If a request is made to the Tribunal for expediting the Original Application, we have no manner of doubt that such a request will be suitably considered, considering that what would

be under challenge is the order of suspension.

8. The Writ Petition is disposed of.

(S.M.MODAK, J.) (M.S.KARNIK, J.)