Gauri Gaekwad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11649 OF 2026

Keshav Sahebrao Gutte …Petitioner

Versus

The State of Maharashtra and Ors. …Respondents

Mr. Onkar Wable a/w. Mr. Abhijeet Khade for the Petitioner.
Ms. Reena A. Salunkhe, AGP for the Respondent-State.

CORAM: SUMAN SHYAM &
GAUTAM A. ANKHAD, JJ.

DATED: 13th OCTOBER 2026.

PC:-

1. Aggrieved by the order of suspension dated 27th July, 2026 passed against the Petitioner, the Petitioner had approached the learned Maharashtra Administrative Tribunal by filing Original Application No.917 of 2026, which is pending before the learned Tribunal. However, by an order dated 18th August, 2026, the learned Tribunal declined to grant interim relief, as a result of which the present Writ Petition has been filed.

2. Taking note of the limited nature of the relief sought in the Writ Petition, we passed an order dated 5th October, 2026, requesting the learned AGP to obtain instructions if there is any

proposal to revoke the suspension order.

3. Today, when the matter is called out, Ms. Salunkhe, learned AGP, by tendering a copy of the communication dated 12th October, 2026, issued by the Section Officer, Public Health Department, submits that the proposal to revoke the suspension of the Petitioner has already been made by the Commissioner of Health Services on 6th October, 2026, and the matter is now pending before Respondent No.1 at Mantralaya. She further submits that the decision on the above proposal is expected soon.

4. Pertinently, it is significant to note that the order of suspension was issued on 27th July, 2026, and, as per the law laid down by the Hon'ble Supreme Court in the case of ***Ajay Kumar Choudhary v/s. Union of India and Anr.***[1], every order of suspension is required to be reviewed by the Administrative Authority within a period of three months. Under such circumstances, it is necessary that the order dated 27th July, 2026, would have to be reviewed before 27th October, 2026.

5. In view thereof, we dispose of this Petition with a direction to Respondent No.1 to review the order of suspension dated 27th July, 2026, and pass an appropriate order thereon, after taking

---

1. (2015) 7 SCC 291

into consideration the recommendation made by the Commissioner of Health Services on 6th October, 2026. Respondent No.1 shall take a decision on the said proposal on or before 27th October, 2026. Such order be communicated to the Petitioner forthwith.

(GAUTAM A. ANKHAD, J.) (SUMAN SHYAM, J.)