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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2588 OF 2026

MOTIRAM S/O. MANIKRAO DHORE

VS

CHIEF EXECUTIVE OFFICER, MAHA. INDUSTRIAL DEVELOPT. COR. MUMBAI
AND ORS.

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

Court's or Judge's orders

Mr. A.A. Potnis, Advocate for the petitioner/s

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 30.03.2026

1. Heard the learned counsel for the petitioner.
2. The petitioner, an employee of the respondent – Maharashtra Industrial Development Corporation, working on the post of Assistant, was placed under suspension on 07.02.2025 on the ground that First Information Report No. 56 of 2025 had been registered against him alleging demand and acceptance of illegal gratification while discharging his official duties.
3. The respondents have initiated a departmental inquiry against the petitioner in pursuance of which a memorandum of charge-sheet was served on 21.04.2025. The petitioner replied to such charge-sheet on 11.05.2025.
4. The learned counsel for the petitioner has invited our attention to the judgment of the Hon'ble Supreme Court in the case of *Ajay Kumar Choudhary Vs. Union of India and Anr.* reported in (2015) 7 SCC 291. The Hon'ble Supreme

Court in para 14 of the aforesaid judgment has held that the currency of a Suspension Order should not extend beyond three months if within this period the Memorandum of Chargesheet is not served on the delinquent officer/employee; if the Memorandum of Charges/Chargesheet is served, a reasoned order must be passed for the extension of the suspension.

5. In the present case, the petitioner was placed under suspension on 07.02.2025 and a charge-sheet came to be served upon him on 21.04.2025. The period of three months from the date of suspension expired on 07.05.2025. However, even after the expiry of the said period, the respondent No.2 – General Manager (Marketing and Public Relations), Maharashtra Industrial Development Corporation, has neither passed a reasoned order justifying the continuation of the suspension nor revoked the order of suspension.

6. In view of the above, the petitioner had approached the respondent No.2 by submitting a representation dated 26.08.2025 (page 60), specifically pointing out the judgment of the Hon'ble Supreme Court in Ajay Kumar Choudhary (supra) and the non-compliance thereof. However, despite the lapse of more than six months, the said representation has neither been considered nor decided by respondent No.2.

7. In view of the above, we direct the respondent No.2

to decide the aforesaid representation dated 26.08.2025 within eight weeks from the date of receipt of this order, on its own merit, and in accordance with law.

8. The respondent No.2 is further directed to consider the principles as enunciated by the Hon'ble Supreme Court of India in the case of *Ajay Kumar Choudhary* (supra).

9. The learned counsel for the petitioner undertakes to furnish copy of this order to the respondent No.2 within one week from today.

10. The decision taken shall be communicated to the petitioner within two weeks from the date of such decision.

Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)