

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 929/2022(S.B.)**

Suryakant s/o Banduji Pidurkar,
Aged about 36 years,
Occupation – Service,
R/o. Chief Officer Quarter Zade Layout,
Bhadravati District Chandrapur.

Applicant.

Versus

1. State of Maharashtra,
Through its Principal Secretary,
Urban Development Department (2),
Mantralaya, (Main Building),
Madam Cama Road, Hutatma Rajguru Square,
Mumbai – 400032.

Respondent.

Shri S.Khandekar, Ld. Counsel for the applicant.
Shri A.M.Khadatkar, Ld. P.O. for the respondent.

Coram:- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.

Dated: - 08th May, 2024.

JUDGMENT

Heard Shri S.Khandekar, learned counsel for the
applicant and Shri A.M.Khadatkar, learned P.O. for the Respondent.

2. Case of the applicant in short is as under-

The applicant was suspended by the respondent as per order dated 15.09.2022. On the ground that he did not attend the program of Guardian Minister at Ghuggus. The applicant was / is now posted at Bhadravati and he was holding the additional charge at Ghuggus, but due to his Administrative difficulty he could not attend the programme of Guardian Minister at Ghuggus. On this ground the applicant was suspended.

3. The learned counsel for the applicant submits that the respondents have issued charge sheet, but departmental enquiry is not yet completed.

4. The learned counsel for the applicant has pointed out Judgment of the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291**. The suspension order is dated 15.09.2022 as per guidelines given by the Hon'ble Supreme Court in the case of **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** that suspension cannot be continued more than 90 days. The Government of Maharashtra has also issued the G.R. in that respect. Hence, the following order.

ORDER

1. The O.A. is allowed.

2. The suspension order dated 15.09.2022 is hereby
revoked.
3. No order as to costs.

(Justice M.G.Giratkar)
Vice Chairman

Dated – 08/05/2024.
rsm.

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Raksha Shashikant Mankawde.
Court Name : Court of Hon'ble Vice Chairman.
Judgment signed on : 08/05/2024.
Uploaded on : 15/05/2024.
