

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION No. 345 of 2025 (S.B.)**

Manoj Mohanrao Dondal,
Aged about 51 years, Occupation Working as Senior Clerk
at office of Tehsil, Fruit Plantation, Pandharkawada,
Yavatmal, District Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
through its Secretary,
Agricultural Animal Husbandry, Dairy and Fisheries Development,
Mantralaya, Extension, Mumbai -32.
- 2) The Commissioner of Agriculture,
Maharashtra State, Pune - 01.
- 3) The Divisional Agricultural Joint Director,
Amravati Division, Amravati - 444 602.
- 4) Sub Divisional Agricultural Officer,
Pandharkawada, Yavatmal, District - Yavatmal.

Respondents.

Shri Y.P. Kaslikar, Advocate for the applicant.

Smt. S.R.Khobragade, learned P.O. for respondents.

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

Dated :- 15/09/2025.

JUDGMENT

Heard Shri Y.P. Kaslikar, learned counsel for applicant
and Smt. S.R. Khobragade, learned P.O. for respondents.

2. The case of the applicant in short is as under -

The applicant is working as Senior Clerk in the office of Fruit Plantation, Pandharkawada, District Yavatmal. The applicant is a permanent employee. The respondents have issued suspension order on 17/12/2024. The respondents have not served any charge sheet to the applicant. No any major misconduct was committed by the applicant. Hence, prayed to quash and set aside the impugned order.

3. No any reply is filed. During the course of submission learned P.O. has submitted that the charge sheet is not served to the applicant.

4. The learned counsel for applicant has submitted that the suspension order is dated 17/12/2024. As per his submission, in view of the Judgment of the Hon'ble Supreme Court in Civil Appeal No. 1912 of 2015 (arising out of SLP No.31761 of 2013) in the case of ***Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another***, the suspension order is to be quashed and set aside. The Hon'ble Supreme Court has held that the charge sheet is to be served to the delinquent employee within 90 days from the date of suspension order. If the charge sheet is not served within 90 days from the date of suspension order, then suspension is to be revoked. Thereafter, the Government of Maharashtra has issued the G.R. dated 09/07/2019. The respondents have not complied the said G.R.

5. The applicant is suspended on 17/12/2024. Till date no any charge sheet is served to the applicant. The period of more than 90 days is over. Hence, in view of the Judgment of the Hon'ble Supreme Court in the case of ***Ajay Kumar Chaudhary Vs. Union of India through its Secretary and another***, the suspension order dated 17/12/2024 is liable to be revoked. Hence, the following order -

ORDER

(i) The O.A. is allowed.

(ii) The suspension order dated 17/12/2024 is hereby revoked.

(iii) The respondents are directed to reinstate the applicant within a period of one month from the date of receipt of this order.

(iv) No order as to costs.

Dated :- 15/09/2025.

(Justice M.G. Giratkar)
Vice Chairman.

dnk.

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

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 15/09/2025.