

MAHARASHTRA ADMINISTRATIVE TRIBUNAL
NAGPUR BENCH NAGPUR
ORIGINAL APPLICATION No.474 of 2024 (D.B.)

Pramodrao Digambar Kharat,
aged 67 years, Retired,
R/o Maithili Nagar, Waghapur Road,
Near Ashtavinayak Mandir, Yavatmal.

Applicant.

Versus

- 1) The State of Maharashtra,
Through Its Secretary,
Animal Husbandry & Dairy Development,
Mantralaya, Mumbai-32.
- 2) The Commissioner of Agriculture,
M.S. Central Building, Pune.
- 3) The Regional Joint Director of Agriculture,
Amravati Region, Amravati.

Respondents.

Shri S.U. Ghude, Mrs. Smita Dashputre, Advs. for the applicant.
Shri A.P. Potnis, learned P.O. for respondents.

**Coram :- Hon'ble Shri Justice Vinay Joshi, Vice Chairman and
Hon'ble Shri Nitin Gadre, Member (A).**

Dated :- 19/08/2026.

J U D G M E N T

Per : Court.

Heard finally with the consent of learned counsel appearing for the parties.

2. The applicant is seeking to quash and set aside the pending enquiry initiated vide charge sheet dated 22/07/2011. The applicant would submit that though the Enquiring Officer has forwarded enquiry report in the year,2023, however, there is no progress till date. Neither

applicant has received final show cause notice nor steps have been taken on the enquiry report by the disciplinary authority. In the circumstances, the applicant *inter alia* seeks to quash the enquiry proceedings in view of the decision of the Hon'ble Supreme Court in case of ***Premnath Bali Vs. Registrar, High Court of Delhi and Another, AIR,2016 SCC 101.***

3. The applicant would submit that it was a joint enquiry initiated against total 43 persons. Out of them, two co-delinquents, namely Ramesh Ghodmare and Dilip Wandile, have approached to the Tribunal in O.A.Nos.72/2021 and 73/2021 respectively to quash the pending enquiry on account of inordinate delay. Vide common judgment and order dated 23/11/2022, this Tribunal has quashed the enquiry by relying on the dicta laid by the Hon'ble Supreme Court in above referred decision. Inasmuch as, the said order was challenged by State before the Hon'ble Bombay High Court, Bench at Nagpur vide Writ Petition No.4825/2023. However, it was dismissed vide order dated 19/03/2024. Not only that the order of Hon'ble High Court was challenged by the State in SLP No. (Civil) 22172 /2025 which was also dismissed on 28/07/2025.

4. In substance, pendency of same enquiry on account of delay was quashed in the year 2022 itself. Now, even after lapse of further four years, the enquiry is not concluded. In reply-affidavit, the State

did not dispute that still the enquiry is not completed. However, it is stated that it is at the verge of completion. Be that as it may, the net result is that for near about 15 years, the enquiry is pending. When the enquiry report was submitted to the disciplinary authority in the year, 2023, the authority ought to have taken a decision in proximity. But for next three years, there is no progress. In the circumstances, the law laid down by the Hon'ble Supreme Court in case of ***Premnath Bali (supra)*** would squarely apply to the facts of this case. In view of that, continuation of enquiry is wholly unjustified.

5. In the circumstances, original application is allowed. The impugned departmental enquiry along with inquiry report is hereby quashed and set aside. The respondents are directed to release all retiral benefits to the applicant, if there is no other impediment. The said exercise shall be completed within six months from today. No order as to costs.

(Nitin Gadre)
Member(A).

(Justice Vinay Joshi)
Vice Chairman.

Dated :- 19/08/2026.
dnk.

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

Name of P.A. : D.N. Kadam.

Court Name : Court of Hon'ble Vice Chairman and
Member (A).

Judgment signed on : 19/08/2026.