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WP-15098-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 16th OF MAY, 2025WRIT PETITION No. 15098 of 2025*DILAWAR SHAIKH**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Vivek Phadke - Advocate for the petitioner.

Dr. Shri Amit Bhatia - G.A. appearing on behalf of Advocate General.

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ORDER

1. This writ petition has been filed by the petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

"7.1 Allow this Petition with costs and issue a Writ of Certiorari quashing the suspension order No.2808/Pancha. Sale/Stha/2025 dated 09.04.2025 issued by Respondent No. 2, being arbitrary and violative.

7.2. Issue a Writ of Mandamus directing Respondent No. 2 to reinstate the Petitioner as Panchayat Secretary, Gram Panchayat Aant, with all benefits, including arrears of salary.

7.3. Issue a Writ of Mandamus directing Respondent No. 1 to conduct an independent inquiry into the Petitioner's complaints of embezzlement by Respondent No. 3 (letters dated 30.09.2024 and 29.10.2024), under a senior officer's supervision.

7.4. Issue a Writ of Mandamus directing S.H.O. to register an FIR and investigate the Petitioner's complaint dated 09.04.2025 under Section 506, IPC.

7.5. Issue a Writ of Mandamus directing respondent No. 1 to protect the Petitioner from harassment, per Section 11 of the Whistleblower Protection Act, 2014.

7.6. Order the respondents to pay interest on arrears of salary at 18% per annum from the date of suspension.

7.7. Grant any other writ, direction, or order deemed fit in the interest of justice."

2. The petitioner is aggrieved of the order of suspension dated 09/04/2025, which has been passed against him on account of dereliction of his duties.



3. On perusal of the record, it is found that certain complaints made against the petitioner, who was posted as Secretary, Gram Panchayat, Aant, Janpad Panchayat, Dewas, has led to his suspension. In such circumstances, the documents filed by the petitioner in support of his defence cannot be entertained by this Court for the first time, specially when the remedy of appeal is also available to him.

4. In view of the same, the petition is hereby *dismissed* as being misconceived on account of availability of the alternative efficacious remedy, with liberty to the petitioner to take recourse of remedy as is available to him under the law.

5. It is made clear that this Court has not reflected upon the merits of the matter.

(SUBODH ABHYANKAR)
JUDGE