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03. The learned counsel for the petitioner submits that now the FSL

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report of the phone of the deceased person has come in which it has clearly come that the video was not recorded on his phone.

04. The learned counsel also submits that in fact the petitioner has been suspended only for the reason of political influence. The petitioner is under suspension since 06.12.2025 merely for the reason that the above said person has committed suicide and purportedly has recorded a video, thus there is no other material and only due to the political influence, the petitioner is being kept under suspension unnecessarily.

05. Per contra, the learned counsel for the State submitted that the issue is very serious in nature considering that one person has committed suicide levelling allegations against the petitioner. Thus, the State has correctly put her under suspension and has also instituted departmental action against her which is pending consideration.

06. Learned counsel for the State also submits that the petitioner has not assailed the order of suspension by way of a departmental appeal, although such remedy is available to him under Rule 23.

07. Apart from the learned counsel for the State, an application has also been filed by one Santosh Makwana, who is the mother of the deceased person. However, as it is settled position of law that in service matters, ordinarily a third person is not having any right to intervene as the issue is between the employer and the employee and also considering the fact that the present is a case where the order of suspension of the petitioner is under consideration, in the considered view of this Court, the intervenor has no say in the present issue. As such, the intervention application (I.A. No.

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12. Protracted periods of suspension, repeated renewal thereof, have regrettably become the norm and not the exception that they ought to be. The suspended person suffering the ignominy of insinuations, the scorn of society and the derision of his Department, has to endure this excruciation even before he is formally charged with some misdemeanour, indiscretion or offence. His torment is his knowledge that if and when charged, it will inexorably take an inordinate time for the inquisition or inquiry to come to its culmination, that is, to determine his innocence or iniquity. Much too often this has now become an accompaniment to retirement. Indubitably, the sophist will nimbly counter that our Constitution does not explicitly guarantee either the right to a speedy trial even to the incarcerated, or assume the presumption of innocence to the accused. But we must remember that both these factors are legal ground norms, are inextricable tenets of Common Law Jurisprudence, antedating even the Magna Carta of 1215, which assures that - "We will sell to no man, we will not deny or defer to any man either justice or right." In similar vein the Sixth Amendment to the Constitution of the United States of America guarantees that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial."

3. Considering the aforesaid law laid down by the Hon'ble Apex Court

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passed in the case of **Ajay Kumar Choudhary** (supra) and taking into account the fact that suspension is transitory and temporary in nature and should essentially be for a short period, the respondents are required to review the order of suspension. Only upon being satisfied that the suspension is required to be continued, a fresh order to that effect is required to be passed. As such, the present petition is disposed of with a direction to the competent authority to review the order of suspension of the petitioner and pass appropriate orders under the facts and circumstances of the present case.

(PAVAN KUMAR DWIVEDI)
JUDGE

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PAVAN KUMAR DWIVEDI

ON THE 6th OF OCTOBER, 2026

WRIT PETITION No. 49326 of 2025

CNR No.: MPH020484312025

MANDAKINI DIXIT

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

Appearance:

Shri Manu Maheshwari and Shri Yash Agrawal, learned counsel for the petitioner.

Shri Sudeep Bhargava, learned Deputy Advocate General for the respondents/State.

Shri Lucky Purohit, learned counsel for the respondent/intervenor.

ORDER

The petitioner has filed this petition being aggrieved by the order dated 06.12.2025 whereby she has been placed under suspension.

02. The relevant facts of the case are that the petitioner was working as Assistant Commissioner (Excise) and was posted in District Dewas, where a liquor contractor, namely, late Shri Dinesh Makwana, committed suicide and purportedly, before committed suicide, he recorded a video in which he stated that he committed suicide because of illegal demands of the petitioner.

03. The learned counsel for the petitioner submits that now the FSL

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report of the phone of the deceased person has come in which it has clearly come that the video was not recorded on his phone.

04. The learned counsel also submits that in fact the petitioner has been suspended only for the reason of political influence. The petitioner is under suspension since 06.12.2025 merely for the reason that the above said