

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 15.12.2018

O.A.No.30 of 2018

J.P. Shinde

....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Applicant and his Advocate both are absent. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. In the present matter challenge is to the suspension order dated 20.12.2017. However, during the pendency of this O.A., the Respondent has revoked the suspension of the Applicant by order dated 26.6.2018 and Applicant has been reinstated in service at Usmanabad on non -executive post.

3. The said order has been placed on record on the last date i.e. on 10.9.2018. However, on that date, learned Advocate for the Applicant sought time to take instructions from the client as to whether he wants to proceed with the O.A. Therefore, the matter was adjourned and kept today. However, today, the Applicant and his Advocate both are absent.

4. Today, learned C.P.O. for the Respondents has tendered letter dated 9.8.2018, where it is stated that in pursuance of revocation of suspension order dated 26.6.2018, the Applicant has been reinstated and joined at Usmanabad on 19.7.2018.

5. As such, in view of the revocation of suspension and reinstatement in service, the Applicant seems not interested to proceed with present Original Application. Infact, in view of the revocation of suspension, the O.A. has become infructuous.

6. In view of the above, Original Application stands disposed of. No order as to costs.

DATE : 15/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

~~Smt. Applicant and
Advocate are absent.~~

Advocate for the Applicant

~~Smt. Ms. S.P. Manchekar~~

~~C.P.O. for the Respondent/s~~

~~Ag. S.O. to O.A. is disposed~~

~~of~~

[Signature]

Sd/-

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.309 OF 2015**

Shri Ankush Sadashiv Galande & Ors. ..Applicants
Versus
The Commissioner of Police, Pune & Ors. ..Respondents

WITH

ORIGINAL APPLICATION NO.937 OF 2015

Kum. Nikita Tukaram Kamble, ..Applicant
Versus
The Commissioner of Police, Pune & Ors. ..Respondents

Shri B.A. Bandiwadekar – Advocate for the Applicants
Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM : Shri J.D. Kulkarni, Vice-Chairman
Shri P.N. Dixit, Member (A)

DATE : 15th December, 2018

ORDER

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.



2. After the matter was heard finally the Ld. counsel for the applicants has placed on record some documents i.e. general merit list Exhibit F. The general merit list includes merit list for NT (C) and SC and also general category. From the general merit list it seems that applicant Shri Eknath Mali stands at Sr. No.576, Shri Ganesh Jadhav stands at Sr. No.502, Shri Ganesh Desai stands at Sr. No.482, Shri Yogesh Sutar stands at Sr. No.5675 and in the NT(C) merit list Shri Ankush Sadashiv Galande stands at Sr. No.40 and in the SC merit list Shri Kiran Sanjeev Kamble stands at Sr. No.228 at the end of the list. It is however, not known as to whether the candidates who are less in merit of these applicants have been given appointment.

3. We have also perused the letter dated 13.12.2018 which is marked 'X' for identification filed by the Ld. PO received from the Additional Commissioner of Police, Pune City from which it seems that in all 1480 posts were advertised and all are filled in and no post is vacant.

4. The applicants could not place on record any document to show that discriminatory treatment was given for appointment of all these applicants as regards considering experience of the Home Guards. We are, therefore, of the view that applicants as well as respondents shall file additional affidavit on following points:

- (i) Is it a fact that while counting the experience as a Home Guard in Pune City Unit experience as Home Guards was considered as on the date of advertisement in some cases and as on last date of filing application in some cases?
- (ii) Whether any junior to the applicant in his respective category has been given appointment? If yes, give their details.



5. The applicants and respondents are directed to file necessary affidavit within three weeks.

6. S.O. to 7.1.2019.

Sd/-

(P.N. Dixit)
Member (A)
15.12.2018

Sd/-

(J.D. Kulkarni)
Vice-Chairman
15.12.2018

Dictation taken by: S.G. Jawalkar.