

O.A.No.511/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

C.A.No.188/2022:-

Heard Shri G.G.Bade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the Respondents.

2. The applicant is challenging provisional seniority list dated 06.01.2022 by filing this O.A.. As pointed out by Id. counsel for the applicant in O.A. on page no. 2; para no. 1; seniority list of cadre of Assistant Store Keeper, Class-III and Class-IV employees should be prepared according to the merit and not from the date of joining i.e. as per Rule 4 (2) (a) of Maharashtra Civil Service, (Regulation of Seniority) Rules, 1982. It is a settled principle that the employee appointed in a same batch their inter se seniority is decided as per seniority list and not from the date of joining unless there is an exceptional case. In this case, it appears that the merit list has been prepared as per joining date. However, as per Maharashtra Civil Services (Regulation of Seniority) Rules, 1982, 4 (2) (a) which is reproduced below:-

“(a) The inter se seniority of direct recruits selected in one batch for appointment to any post, cadre or service, shall be determined according to their ranks in the order of preference arranged by the Commission, Selection Board or in the case of

recruitment by nomination directly made by the competent authority, the said authority, as the case may be, if the appointment is taken up by the person recruited within thirty days from the date of issue of the order of appointment or within such extended period as the competent authority may in its discretion allow;"

3. The ld. counsel for the applicant has filed **C.A. No. 188/2022 for stay which is allowed and disposed of.**

4. As pointed out by ld. counsel for the applicant in C.A.; D.P.C. is scheduled on 20.05.2022 on 11:00 a.m. as per erroneous seniority list. Hence, **D.P.C. scheduled on 20.05.2022 is stayed till finalization of correct seniority list. Respondents are directed to finalize seniority list as per Maharashtra Civil Services (Regulation of Seniority) Rules, 1982 and if applicable as per Rule 4 (2) (a) and then conduct D.P.C..**

5. **S.O. six weeks for reply on O.A..**

6. **Steno copy is granted.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.565/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

C.A.No.187/2022:-

Heard Shri S.S.Dhengale, the Id. Counsel for the applicant and Shri A.P.Potnis, the Id. P.O. for the State.

2. The Id. counsel for the applicant has filed C.A. No. 187/2022 for joining 18 applicants. Since all the 18 applicants are having common grievances and redressal. Hence, **C.A. No. 187/2022 for Jt. O.A. is allowed and disposed of.**

3. The applicants are Primary Teacher in Z.P. and aspiring to become Deputy Education Officer, there applications were accepted. However, M.P.S.C. has not declared result.

4. In the similar situation, O.A. was filed in M.A.T., Mumbai Bench in O.A. 634/2017 in which Judgment was passed on 04.10.2018 in favour of the applicants. Respondents again filed Review Application which was rejected on 01.02.2019. The Id. counsel for the applicant has filed both these Judgments and it appears that grievances of the applicants are covered by these Judgments.

5. Matter is listed for the first time. The Id. counsel for the applicant is also praying for interim relief in which para no. 9 of page no. 31 and requested that in pursuant to the advertisement no. 40/2017 dated 17.05.2017 (A-2, Pg. No. 54). Hence,

M.P.S.C. is directed to permit the applicants to appear for Interview and keep the result in sealed cover till the outcome of the O.A.. Meanwhile, M.P.S.C. may examine order in O.A. No. 634/2017 of M.A.T., Mumbai Bench and Judgment in Review Application and if applicants' cases are covered by this Judgment then file affidavit to that effect.

6. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

8. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

11. In case notice is not collected within **three days** and if service report on affidavit is not filed

three days before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

12. **S.O. four weeks.**

Date:-20/05/2022.
aps.

Vice Chairman

O.A.No.568/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

C.A.No.189/2022:-

Heard Shri A.B.Moon, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. The Id. counsel for the applicant has filed C.A. No. 189/2022 for Jt. O.A.. Hence, **C.A. No. 189/2022 for Jt. O.A. is allowed and disposed of.**

3. Applicants are at liberty to submit representation to the respondents, **respondents may decide the representation as per Law before filing reply.**

4. On perusal of relief clause 8 (a) on page no. 12 which is reproduced below:-

“A. Hold and declare Rule No. 9 of Maharashtra Assistant Police Sub Inspector Driver, Police Constable Driver, Police Naik Driver, Police Constable Driver (Recruitment Rules 2019), to the extent of putting condition of scoring minimum 50% marks out of 50 marks, more specifically 25 marks is unconstitutional and discriminatory of article 14, 15, 16 of Constitution of India.”

It appears that controversy is related to marks for the various posts. In view of this reply is very necessary.

5. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
8. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.
9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
11. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.
aps.

O.A.No.562/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 20/05/2022.

Heard Shri G.K.Bhusari, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the State.

2. The ld. C.P.O. has filed Caveat No. 16/2022 in this matter.

3. The ld. counsel for the applicant has further pointed out that applicant has made representation dated 22.04.2022 (A-7, Pg. No. 211) to Commissioner, Agriculture. Hence, respondents are at liberty to decide the representation before filing reply.

4. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.563/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

Heard Shri G.K.Bhusari, the ld. Counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the State.

2. The ld. C.P.O. has filed Caveat No. 16/2022 in this matter.

3. The ld. counsel for the applicant has further pointed out that applicant has made representation dated 02.05.2022 (A-8, Pg. No. 123) to Commissioner, Agriculture. Hence, respondents are at liberty to decide the representation before filing reply.

4. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal

(Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.564/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman
Dated : 20/05/2022.

Heard Shri M.L.Vairagade, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Matter is received today. But as there is no such urgency in the matter. Hence, matter will be taken up on board in the **03rd Week of June, 2022.**

3. **Put up this matter before regular D.B.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.567/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

Heard Shri P.J.Mehta, the Id. Counsel for the applicant and Shri V.A.Kulkarni, the Id. P.O. for the State.

2. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.
aps.

O.A.No.570/2022 (D.B.)

Coram : Shri Shree Bhagwan, Vice Chairman

Dated : 20/05/2022.

Heard Shri D.T.Shinde, the ld. Counsel for the applicant and Shri A.P.Potnis, the ld. P.O. for the State.

2. Respondents are directed that before going ahead with the promotion order, they should verify the seniority list as per Rules and Regulations whether it is correct or not?

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put on notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.525/2022 (S.B.)

Coram:ShriShree Bhagwan, Vice Chairman
Dated :20/05/2022.

Heard ShriS.P.Palshikar the ld. counsel for the applicant and ShriA.P.Potnis, the ld. P.O. for the Respondents.

2. The matter was heard on 06.05.2022 and detailed order was passed. In the order various Judgments of Hon'ble Supreme Court was quoted to guide the respondents for taking a decision. The spirit beyond these Judgments are very clear in various paras that continuation of suspension is not a solution to the problem in service condition.

3. In fact it was mainly pointed out in The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

4. In order dated 06.05.2022, this Tribunal has directed to consider the reinstatement of the applicant. Hence, respondents were asked to consider the reinstatement of applicants according to the Law. However, today the Id. Counsel for the applicant submits that applicants have not been reinstated till now.

5. The Id. P.O. submits that he has received parawise reply and he will file it on record within three weeks.

6. However, considering the whole issue and legal settled principle regarding suspension, the suspension order dated 30.01.2022 (A-2, Pg. No. 23) is revoked from the date of this order and respondents are at liberty to post on non-functional post as direction given by Hon'ble Apex Court **within thirty days from the date of receipt of this order.** However, Id. Counsel for the applicant has submits that all the applicants were already working in the Crime Branch which is considered to be non-executive branch; these facts should be considered by respondents while reinstatement.

7. With these above directions, **O.A. is disposed of with no order as to costs.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.566/2022 (S.B.)

Coram:ShriShree Bhagwan, Vice Chairman
Dated :20/05/2022.

Heard Shri G.K.Bhusari, the ld. counsel for the applicant and Shri A.P.Potnis, the ld. P.O. for the State.

2. The applicant was suspended vide order dated 17.05.2022 (A-1, Pg. No. 11) and till now chargesheet has not been served.

3. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week.

Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.569/2022 (S.B.)

Coram:ShriShree Bhagwan, Vice Chairman
Dated :20/05/2022.

Heard Shri S.P.Palshikar, the ld. counsel for the applicant and Shri V.A.Kulkarni, the ld. P.O. for the State.

2. The applicant was suspended vide order dated 12.11.2021 (A-2, Pg. No. 23) applicant has made a representation dated 16.02.2022 and regarding provision of G.R. dated 09.07.2019 wherein para no. 1 (ii) says that if within three months chargesheet is not been served; the suspension have to be revoked. This G.R. was issued after the Judgment of Hon'ble Supreme Court and DOpT direction dated 23.08.2016.

3. As pointed out by ld. Counsel for the applicant chargesheet was served on 04.01.2022 (A-4, Pg. No. 28); though it appears that it was incomplete. Hence, it cannot be taken as date of chargesheet, because as pointed out by ld. Counsel for the applicant as per page nos. 34 & 35; list of witnesses were served on 12.05.2022. So, it is now crystal clear that final chargesheet was served 12.05.2022; which is beyond 90 days. Hence, complete chargesheet received by the applicant is after 90 days and he is entitled to be covered by G.R. dated 09.07.2019; 1 (ii), which is quoted below:-

(ii) निलंबित शासकीय सेवकांच्याच्या प्रकरणी
३ महिन्यांचाकालावधीतविभागीय चौकशीसुरु करुन दोषारोपपत्र
बजावण्यातआलेनाही, अशा प्रकरणी मा.
सर्वोच्चन्यायालयाचेआदेशपाहता, निलंबनसमाप्तकरण्याशिवाय

अन्य पर्याय राहत नाही. त्यामुळे निलंबित शासकीय सेवकांबाबत विभागीय चौकशीची कार्यवाही सुरु करून दोषरोपपत्र बजावण्याची कार्यवाही निलंबनापासून ९० दिवसांच्या आत काटेकोरपणे केली जाईल याची दक्षता/ खबरदारी घेण्यात यावी.

5. According to the various Apex Court Judgments, Hon'ble High Court Judgments and settled position of Law i.e. if chargesheet has not served within 90 days; suspension have to be revoked. Since in this case the complete chargesheet has not been served within 90 days. Hence, **Respondent no. 2 are directed to revoke the suspension order dated 12.11.2021 (A-2, Pg. No. 23) before next date of hearing.**

6. In view of above cited Judgments, it appears that settled principle of suspension have been violated while serving the chargesheet.

7. Issue notice to Respondents, returnable on four weeks. Learned P.O. waives notice for R-1. Hamdast allowed.

8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

9. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

10. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

12. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

13. **S.O. four weeks.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.526/2022 (S.B.)

Coram:ShriShree Bhagwan, Vice Chairman
Dated :20/05/2022.

Heard Shri S.P.Palshikar the ld. counsel for the applicant and Shri A.P.Potnis, the ld. P.O. for the Respondents.

2. The matter was heard on 06.05.2022 and detailed order was passed. In the order various Judgments of Hon'ble Supreme Court was quoted to guide the respondents for taking a decision. The spirit beyond these Judgments are very clear in various paras that continuation of suspension is not a solution to the problem in service condition.

3. In fact it was mainly pointed out in The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

4. In order dated 06.05.2022, this Tribunal has directed to consider the reinstatement of the applicant. Hence, respondents were asked to consider the reinstatement of applicants according to the Law. However, today the Id. Counsel for the applicant submits that applicants have not been reinstated till now.

5. The Id. P.O. submits that he has received parawise reply and he will file it on record within three weeks.

6. However, considering the whole issue and legal settled principle regarding suspension, the suspension order dated 01.02.2022 (A-2, Pg. No. 20) is revoked from the date of this order and respondents are at liberty to post on non-functional post as direction given by Hon'ble Apex Court **within thirty days from the date of receipt of this order.** However, Id. Counsel for the applicant has submits that all the applicants were already working in the Crime Branch which is considered to be non-executive branch; these facts should be considered by respondents while reinstatement.

7. With these above directions, **O.A. is disposed of with no order as to costs.**

Vice Chairman

Date:-20/05/2022.

aps.

O.A.No.530/2022 (S.B.)

Coram:ShriShree Bhagwan, Vice Chairman
Dated :20/05/2022.

Heard Shri S.P.Palshikar the ld. counsel for the applicant and Shri A.P.Potnis, the ld. P.O. for the Respondents.

2. The matter was heard on 06.05.2022 and detailed order was passed. In the order various Judgments of Hon'ble Supreme Court was quoted to guide the respondents for taking a decision. The spirit beyond these Judgments are very clear in various paras that continuation of suspension is not a solution to the problem in service condition.

3. In fact it was mainly pointed out in The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

*23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.*

4. In order dated 06.05.2022, this Tribunal has directed to consider the reinstatement of the applicant. Hence, respondents were asked to consider the reinstatement of applicants according to the Law. However, today the Id. Counsel for the applicant submits that applicants have not been reinstated till now.

5. The Id. P.O. submits that he has received parawise reply and he will file it on record within three weeks.

6. However, considering the whole issue and legal settled principle regarding suspension, the suspension order dated 23.01.2022 (A-2, Pg. No. 20) is revoked from the date of this order and respondents are at liberty to post on non-functional post as direction given by Hon'ble Apex Court **within thirty days from the date of receipt of this order.** However, Id. Counsel for the applicant has submits that all the applicants were already working in the Crime Branch which is considered to be non-executive branch; these facts should be considered by respondents while reinstatement.

7. With these above directions, **O.A. is disposed of with no order as to costs.**

Vice Chairman

Date:-20/05/2022.
aps.