

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 1201 OF 2019**

DISTRICT : MUMBAI

Shri Uttam Tejrao Sarode)
Retd. Inspector of State Excise,)
Presently, residing at B-18,)
Seema Nandanvan C.H.S Ltd,)
Kalyan [W], Dist-Thane.)...**Applicant**

Versus

1. Government of Maharashtra,)
Through Addl. Chief Secretary,)
Home Department, Mantralaya,)
Mumbai 400 032.)
2. Accountant General,)
Maharashtra State,)
M.K Road, Mumbai.)...**Respondents**

Shri M.D Lonkar, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Shri P.N Dixit (Vice-Chairman) (A)**
Shri A.P Kurhekar (Member)(J)

DATE : **12.12.2019**

PER : **Shri A.P Kurhekar (Member)(J)**

ORDER

1. Heard Shri M.D Lonkar, learned advocate for the Applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant has challenged the order passed by the Disciplinary Authority holding him guilty and punishment in the form of reduction of

pension by 30% per month for the period of 8 years is inflicted. The applicant has already filed statutory appeal against the said order passed by the Disciplinary Authority on 20.3.2019. But the same is not decided by the Appellate Authority. Besides, there is no compliance of the order passed by this Tribunal in earlier round of litigation in O.A 745/2017, wherein by order dated 8.3.2019 directions were given to release gratuity and other retiral benefits in terms of order of punishment.

3. As the statutory appeal is already subjudice before the Appellate Authority, in our considered opinion this Original Application can be disposed of by giving suitable directions for expeditious disposal of appeal.

4. For the reasons stated above, the Original Application is disposed of with direction to Respondent no. 1 to decide the appeal filed by the applicant within four months from today in accordance with rules and decision thereon shall be communicated to the applicant within two weeks thereafter.

5. Besides, Respondent no. 2 is directed to comply with the directions given by this Tribunal on 8.3.2019 in O.A 745/2017 to release the retiral dues in the light of order of punishment imposed upon the applicant. No order as to costs.

Sd/-
(A.P Kurhekar)
Member (J)

Sd/-
(P.N Dixit)
Vice-Chairman (A)

Place : Mumbai
Date : 12.12.2019
Dictation taken by : A.K. Nair.