

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 136 OF 2018**

DISTRICT : THANE

Shri Kiran Vishnu Patil)...**Applicant**

Versus

The Commissioner of Police & Ors)...**Respondents**

Shri A.V Bndiwadekar, learned advocate for the Applicant.

Shri K.B Bhise, learned Presenting Officer for the Respondents.

CORAM : **Shri Justice A.H Joshi (Chairman)**
Shri P.N Dixit (Member) (A)

DATE : **21.3.2018**

PER : **Shri Justice A.H Joshi (Chairman)**

ORDER

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri K.B Bhise, learned P.O for the Respondents.

2. Learned advocate for applicant prays for leave to amend for adding one para and placing one annexure on record.

3. Leave as prayed for is granted. Amendment to be carried out within two days.

4. Learned Advocate for applicant points that Res. No. 2 is personally present and is trying to hid is face behind learned Presenting Officer. Name of Respondent no. 2 was called out.

5. Thereafter, the Respondent no. 2 has come forward. Respondent no. 2 is identified by Shri Pramod Jadhav, Law Officer,

from the office of Commissioner of Police, Navi Mumbai, Respondent no. 1. Respondent no. 2 was called to state as to whether he has received notice of this Tribunal.

6. Respondent no. 2 undertakes that he shall engage lawyer or he shall file his affidavit within one week.

7. Learned P.O prays for time for filing reply on the ground that charge of the post of A.C.P (Admn) is held by Respondent no. 2 himself, and he could not have filed affidavit for the Govt.

8. Be it as it may, however, affidavit ought to have been filed because over a month's time is already granted to the Commissioner of Police, Navi Mumbai.

9. Therefore, Shri Hemant Nagrale, Commissioner of Police, Navi Mumbai, is called to show cause as to why he should not be personally saddled with cost for failure to file reply, when notice of this Tribunal was served on Res. No. 1 on 17.2.2018 itself and more than one month has passed.

10. Considering request of learned P.O one week's time is granted for filing reply. Affidavit of the Commissioner of Police, Navi Mumbai, be filed.

11. Let the O.A come up for final disposal on 3.4.2018.

12. Steno copy and Hamdst is allowed. Learned P.O is directed to communicate this order to the Respondents.

Sd/-
(P.N Dixit)
Member (A)

Sd/-
(A.H Joshi, J.)
Chairman

Place : Mumbai
Date : 21.03.2018
Dictation taken by : A.K. Nair.