

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 1719 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date :

18 MAY 2016

**ORIGINAL APPLICATION NO. 389 OF 2016.**

**(Sub :-Police Patil)**

- 1 Dadaso S. Kandekar,  
R/o. At- Pratapur, Post-Dhapadwadi, Tal- Jath, Dist. Sangli.

**Applicant's-----**

**VERSUS**

1. The State of Maharashtra, Through The Secretary of Home Department,  
Mantralaya, Mumbai.  
2. The Collector & District Magistrate, Sangli District, Sangli.  
3. The Sub-Divisional Officer, Jath Sub-Division, Jath, Dist. Sangli.

**Respondents-----**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 05<sup>th</sup> day of **May, 2016** has made the following order:-*

APPEARANCE : Shri N.Y. Chavan, Advocate for the Applicant.  
Smt. K.S. Gaikwad, P.O. for the Respondents.

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **05.05.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*Shri A.H. Joshi*  
**Research Officer,**  
**Maharashtra Administrative Tribunal,**  
**Mumbai.**

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

Tribunal's orders

Date : 05.05.2016.

O.A.No.389 of 2016

D.S. Khandekar .... Applicant.

Versus

The State of Maharashtra & Ors .... Respondents.

1. Heard Shri N.Y. Chavan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents Smt. K.S. Gaikwad on instructions from Shri A.B. Bhasme, Naib Tahasildar, Jath states as follows :-

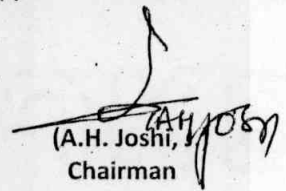
(a) There is no rule that the Applicant who is facing criminal case can be denied opportunity to appear for examination.

(b) However, in the event he qualifies the effect of pendency of criminal case would be considered on its own merits and in accordance with law.

(c) In view of this statement O.A. can be disposed of with direction to open the result kept in sealed cover and deal with the applicant's candidature in accordance with law.

3. Applicant is satisfied with this statement of learned P.O., and states that his right to agitate the grievance, in the event outcome is adverse should remand unaffected.

4. In view of the foregoing observations, O.A. is disposed of with liberty to Applicant as available in law.

  
(A.H. Joshi,  
Chairman

prk

DATE: 5/5/16.

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Kameshwar (Member)

APPEARANCE:

Shri/Smt. N.Y. Chavan

Advocate for the Applicant

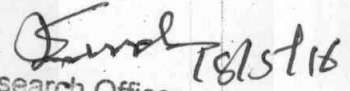
Shri/Smt. K.S. Gaikwad

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

Adj. To: Heard

order passed in  
Tribunal column.  
O.A. is disposed of  
with liberty to  
applicant as  
available in law.

TRUE COPY

  
Asstt. Registrar/Research Officer  
Maharashtra Administrative Tribunal  
Mumbai.

18/5/16