

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
NAGPUR BENCH AT NAGPUR.**

ORIGINAL APPLICATION NO. 782 of 2015

Madanlal S/o. Dashrath Jaiswal,
Aged about 59 Yrs., Occ.: Retired from service,
R/o. 30, Smruti Nagar,
Behind Dighori Bus Stop,
Umred Road, Nagpur.

APPLICANT

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Department of Revenue and Forest,
Mantralaya, Mumbai-32.
2. Principal Chief Conservator of Forest,
State of Maharashtra,
Nagpur.
3. Chief Conservator of Forest (Regional),
Nagpur
4. Deputy Conservator of Forest,
Nagpur Division, Nagpur.

Shri N R Saboo, Counsel for Applicants
Shri D M Kakani, Special Counsel for Respondents

CORAM: B. Majumdar: Vice Chairman
DATE: 17th February, 2016

Heard Shri N R Saboo, Ld Counsel for Applicants and Shri D M Kakani, Ld Special Counsel for Respondents. The matter is heard and decided at the admission stage with the consent of the parties.

5. The applicant is a retired Range Forest Officer. He has filed the OA aggrieved with an order of recovery of Rs 4,66,210.

6. On 20.6.13 he was issued a charge sheet under Rule 10 of the Discipline and Appeals Rules. The single charge was that because of his negligence as Range Forest Officer, Ramtek Range, large scale illicit cutting of trees and their illegal transport had taken place. On 12.9.14 the Chief Conservator of Forests (Territorial), Nagpur, (R/3), issued an order inflicting a punishment of bringing him to the lowest stage of the pay scale of RFO and recovery of loss to the Government amounting to Rs 4,66,210. On 16.9.14 R/3 issued another order for an additional recovery of Rs 77113. On 20.10.15 the Deputy Conservator of Forests, Nagpur (R/4) directed the applicant to deposit a sum of Rs 5,43,323 by a challan. The applicant has challenged this order in the OA.

7. The applicant had filed detailed and elaborate appeals dated 17.10.14 against the orders dated 12.9.14 and 16.9.14 under Rule 17 of the Discipline and Appeals Rules, before the Principal Chief Conservator of Forest, Nagpur (R/2). The appeals have not yet been decided.

8. The applicant retired on superannuation on 30.9.2015.

9. After the matter was heard for sometime Ld Counsel Shri Saboo stated that the OA can be disposed of by directing respondent no. R/2 to decide expeditiously the appeals of the applicant against the impugned orders of recovery. Ld Special Counsel, Shri Kakani, fairly concurred with it.

10. I find that the applicant has retired and his appeals dated 17.10.14 are pending with R/2 for more than one year. I therefore direct R/2 to

decide these appeals within 3 months of receipt of this order. The applicant is at liberty to approach the Tribunal if he is aggrieved with the decision of the respondents on his appeals. The OA stands disposed of in terms of these directions.

(B Majumdar)
Vice Chairman

Skt.