

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 471/ 2022 (S.B.)**

Sau. Kavita W/o Vijendra Dahat,  
Aged about 38 years, Occ. Nil,  
R/o At Post Navargaon Kala,  
Tah. & Dist. Gondia-441 614.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Department of Home, Mantralaya,  
Mumbai- 32.
- 2) The Sub Divisional Officer,  
New Administrative Building,  
Jai Stambh Square,  
Gondia-441 614.

**Respondents**

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**Shri Akash Joshi, Id. Advocate for the applicant.**

**Shri A.M.Ghogre, Id. P.O. for the Respondents.**

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**Coram :- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.**

**Dated :- 13.06.2023.**

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**JUDGEMENT**

Heard Shri Akash Joshi, Id. counsel for the applicant and Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. The case of the applicant in short is as follows. The applicant was appointed on the post of Police Patil on 02.06.2011. Her services was extended. She was directed to file affidavit stating that she has a

small family (having only two children). The applicant filed affidavit on 31.12.2010. The same was found false, therefore, applicant was suspended and enquiry was initiated against her. In the enquiry, charges are proved. Thereafter on 01.04.2022, the applicant was terminated from the service of Police Patil. Therefore, applicant has approached to this Tribunal for quashing and setting aside the termination order dated 01.04.2022.

3. The O.A. is strongly opposed by the respondents submitting that applicant was having three children but she has stated in the affidavit that she has only one child. Ld. Counsel for the applicant submits that; that time the applicant was having only two children, one child was given in adoption.

4. The question of adoption was not the issue/ charges before the Enquiry Officer. The main charge was whether the affidavit sworn by the applicant was false. There is no dispute that applicant in her affidavit stated that she has only one child but in fact she was having two child. During the enquiry, it was proved that applicant has sworn false affidavit. Therefore, charge against her is proved. Hence, the termination order issued by respondent no. 2 is perfectly legal and correct. Hence, the following order:-

**ORDER**

- A. Applicant is not entitle for any relief.
- B. O.A. is dismissed with no order as to costs.

**(Shri Justice M.G.Giratkar)**  
**Vice Chairman**

**Dated :-13/06/2023.**  
**aps**

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 13/06/2023.  
and pronounced on

Uploaded on : 13/06/2023.