

MAHARASHTRA ADMINISTRATIVE TRIBUNAL

NAGPUR BENCH NAGPUR

ORIGINAL APPLICATION NO.1069/2021(S.B.)

Amol Ramchandra Dongre,
aged about 44 years,
Occupation: Service (Surveyor),
R/O NEW Ambedkar nagar, Belapur,
Amravati, Tah. & Dist. Amravati.

Applicant.

Versus

- 1) The State of Maharashtra,
through it's Secretary,
Revenue & Forest Department,
Mantralaya, Mumbai-32.
- 2) The Settlement Commissioner & Director
of Land Record, Pune.
- 3) The Deputy Director of Land Record,
Amravati Region, Amravati,
Near Divisional Commissioner Office,
Amravati.
- 4) Deputy Superintendent of Land Record,
Amravati, Tah. & Dist. Amravati.

Respondents

ShriS.M.Khan, Ld. Counsel for the applicant.
ShriM.I.Khan, Ld. P.O. for the respondents.

Coram:-Hon'bleShriM.A.Lovekar, Member (J).

Dated: - 12thFebruary, 2024.

JUDGMENT

Judgment is reserved on 15thJanuary, 2024.

Judgment is pronounced on12thFebruary, 2024.

HeardShriS.M.Khan,learned counsel for the applicant and
ShriM.I.Khan, learned P.O. for the respondents.

2. Respondent no.4 issued a show cause notice dated 11.10.2021 (Annexure A-3) to the applicant as to why departmental enquiry be not initiated against him for evading work and indisciplined behaviour in office. The applicant submitted his explanation dated 18.10.2021 (Annexure A-4) and denied the charges. By order dated 11.11.2021 (Annexure A-5) respondent no.3 placed him under suspension. During the pendency of this O.A. respondent no.3 revoked suspension of the applicant by order dated 29.03.2022 (at page 96). This order *inter alia* refers to the fact that departmental enquiry into the charges is initiated against the applicant and Enquiry Officer is also appointed. In view of these developments the only prayer made by the

applicant which survives for determination is to direct respondent no.3 to release his full salary for the period of suspension and treat said period as duty period. This prayer cannot be granted since departmental enquiry on the selfsame charges is pending and only at the time of conclusion of enquiry order will be passed about how the period of suspension of the applicant is to be treated, as provided under Rule 72(3) of the M.C.S. (Joining Time, Foreign Services and Payment during Suspension, Dismissal and Removal) Rules, 1981. It is not the grievance of the applicant that he was not paid subsistence allowance during suspension period as per Rules. This being the factual and legal position the O.A. is disposed of with no order as to costs.

(M.A.Lovekar)
Member (J)

Dated – 12/02/2024
rsm.

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

Name of Steno : RakshaShashikantMankawde
Court Name : Court of Hon'ble Member (J).
Judgment signed on : 12/02/2024.
and pronounced on
Uploaded on : 13/02/2024.