

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 452 of 2018**

Shri Pravin S/o Vasant Rao Fule,  
Age about : 35 Yrs., Occ. – Service,  
R/o Delanwadi, Tah. Bramhapuri,  
Dist. Chandrapur.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Department of Revenue and Forest,  
Mantralaya, Mumbai-32.
- 2) The Collector, Chandrapur.
- 3) The Sub-Divisional Officer, Bramhapuri, Distt. Chandrapur.
- 4) The Tahsildar, Bramhapuri, Distt. Chandrapur.

**Respondents**

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**Shri Satyendra Singh Bajwa, Id. Advocate for the applicant.**

**Shri S.A.Sainis, Id. P.O. for the respondents.**

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**Coram :- Hon'ble Shri Shree Bhagwan,  
Vice-Chairman.**

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**Date of Reserving for Judgment : 17<sup>th</sup> July, 2019.**

**Date of Pronouncement of Judgment : 21<sup>st</sup> August, 2019.**

## **JUDGMENT**

**(Delivered on 21<sup>st</sup> day of August, 2019)**

Heard Shri Satyendra Singh Bajwa, Id. counsel for the applicant and Shri S.A.Sainis, Id. P.O. for the respondents.

2. The applicant came to be appointed on the post of Kotwal vide order dated 15.04.2005 issued by the respondent no. 4. The applicant vide order dated 20.06.2013 issued by the respondent no. 4 on the basis of the charges levelled against him :-

- i. Disorderly behaviour under the influence of liquor on 02.11.2012.
- ii. Driving the private ambulance of political party.
- iii. Illegal absenteeism but infact in the statement of impulation no such charge was levelled. The same was challenged before the respondent no. 3 by way of appeal and which came to be dismissed vide order dated 20.06.2014.
- iv. The order dated 20.06.2014 so also the termination order dated 20.06.2013 came to be challenged by way of Original Application No. 597/2014 and accordingly this Hon'ble Tribunal vide Judgment dated 19.12.2017 was pleased to allow the said Original Application partly and remanded the matter to the respondent no. 3. The respondent no. 3 in

view of Judgment dated 19.12.2017 conducted fresh inquiry and passed an order dated 06.04.2018 of reinstatement of the applicant.

3. In the affidavit-in-reply of respondent no. 3, conducted through enquiry of the matter and taking into consideration report of Tahsildar passed order dated 06.04.2018 vide which the applicant came to be reinstated/ reappointed on the post of Kotwal but rejected the request of back wages since 26.06.2012 on the basis of no work no pay and also directed the Tahsildar Bramhapuri to issue separate order of appointment. Thus the aforesaid order in respect of backwages was passed on the basis of **No work no pay**.

4. It is crystal clear that the respondent no. 3 has passed detailed order dated 06<sup>th</sup> April, 2018 and in final paragraph of the para, it has been made clear that why back wages from 26/11/2012 till his reinstatement to the post due to MAT, Nagpur Bench Judgement dated 19/12/2017 in O.A. No. 597/2014. So it is not required to interfere with respondent no. 3 order dated 06/04/2018 and O.A. has no merit as per its relief clause. Hence following orders:-

### **ORDER**

1. The O.A. is dismissed.

3. No order as to costs.

**(Shri Shree Bhagwan)**  
**Vice-Chairman**

aps

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

Name of Steno : A.P.Srivastava

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 21/08/2019.  
and pronounced on

Uploaded on : 21/08/2019.