

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION NO. 518/2018(S.B.)**

Shuddodhan S/o Duryodhan Umale,  
Aged about 31 years,  
Occupation : Police Constable,  
R/o. C/o. Police Station Chandur,  
Railway, Tq. Chandur Railway,  
District - Amravati.

**Applicant.**

**Versus**

1. The State of Maharashtra,  
Through its Secretary,  
Department of Home,  
Mantralaya, Mumbai-32.
2. The Director General of Police,  
(Administration), Maharashtra State,  
Mumbai.
3. The Special Inspector General of Police,  
Amravati Region, District – Amravati.
4. The Superintendent of Police,  
Amravati (Rural), Amravati.

**Respondents**

---

Shri A.D.Girdekar, Ld. counsel for the applicant.  
Shri S.A.Sainis, Ld. P.O. for the respondents.

---

**Coram:-Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.**  
**Dated: - 19<sup>th</sup> April, 2023.**

---

**JUDGMENT**

Heard Shri A.D.Girdekar, learned counsel for the applicant and Shri S.A.Sainis, learned P.O. for the Respondents.

2. Case of the applicant in short is as under.

The applicant was serving as a Police Constable at Police Station Talegaon, District Amravati. The departmental inquiry against the applicant was initiated. In the departmental inquiry, the respondents have come to the conclusion that charges of misconduct are proved and therefore, passed the impugned order of punishment dated 01.08.2016. The applicant has challenged the said order before this Tribunal.

3. Heard Shri S.A.Sainis, learned P.O. for the Respondents. The O.A. is strongly opposed by the respondents. It is submitted that the charges of misconduct are proved by the respondents. In the departmental inquiry, the punishment imposed by the respondents is proportionate. Charges are proved against him. Hence, the O.A. is liable to be dismissed.

4. During the course of argument learned Advocate Shri A.D.Girdekar, has pointed out statement of witnesses recorded in the departmental inquiry. He has pointed out some relevant documents and submitted that the charges are not proved against the applicant.

5. Learned P.O. has submitted that evidence before the Inquiry Officer shows that the applicant has committed misconduct and those misconduct

are proved. After following all the procedure, the punishment was imposed. It is submitted that the punishment in respect of pay of the applicant brought on his basic pay for two years from 16.11.2015 to 26.06.2016 shall remain, as such. Against the said order, appeal was filed. Both first and second appeals were dismissed. Learned P.O. has submitted that impugned order is legal and correct. Hence, the O.A. is liable to be dismissed.

6. From the perusal of the record, it appears that the applicant misbehaved with his Superior Officer. He also misbehaved with the Public Prosecutor (Advocate). He remained absent in the Court. The applicant was appointed as a Court Constable, but he has remained absent. All the misconducts are proved in the departmental inquiry. The particular admissions cannot be taken into isolation. Evidence is to be read as a whole and not in isolation. If the evidence is recorded before the inquiry Officer, if it is read as whole then it is clear that the applicant has committed misconduct. The punishment imposed by the respondents is proportionate to the charges against the applicant. There is no merit in the O.A. Therefore, the following order is passed.

**ORDER**

1) The O.A. is dismissed with no order as to costs.

(Justice M.G.Giratkar)  
Vice Chairman

Dated – 19/04/2023.  
rsm.

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

Name of Steno : Raksha Shashikant Mankawde  
Court Name : Court of Hon'ble Vice Chairman .  
Judgment signed on : 19/04/2023.