

**C.P. 14/2020 in O.A. 58/2019 (D.B.)**

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 01/06/2020.**

Heard Shri N.S. Khandewale, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the State.

2. Issue Notice to the respondent Nos. 1&2 returnable **after three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.

3. Shri P.N. Warjurkar, the learned P.O. waives notice for respondent No.3. Hamdast granted.

4. **S.O. after three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

C.P. 15/2020 in O.A. 953/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 01/06/2020.**

Heard the applicant in person and Shri V.A. Kulkarni, learned P.O. for the State.

2. Issue Notice to the respondent Nos. 1&2 returnable **after three weeks** under Rule 8 of the MAT (Contempt of Courts) Rules, 1996 as to why they should not be proceeded for committing contempt of this Tribunal's order and as to why they shall not be punished under the Contempt of Court Act.
3. Shri V.A. Kulkarni, the learned P.O. waives notice for respondent No.3. Hamdast granted.
4. **S.O. after three weeks.**

**Member (J)**

**Vice-Chairman**

dnk.

O.A. 902/2019 (D.B.)

**Coram:Shri Shree Bhagwan,  
Vice-Chairman and  
Shri A.D. Karanjkar,  
Member(J)**

**Dated : 01/06/2020.**

Heard Shri S.P. Palshikar, learned counsel for the applicant and Shri P.N. Warjurkar, learned P.O. for the respondents.

2. The learned P.O. submitted that yet he has not received information from the respondent no.1. The learned counsel for the applicant submitted that as per the judicial order as the inquiry is not completed within a period of three months from 14/02/2019, therefore, there is no material against the applicant for not giving him the promotion. In the interest of justice, one week time is granted to the respondents to produce relevant material before the Bench. The learned P.O. may seek the instructions from the respondents by e-mail or fax.

**S.O. 11/06/2020.**

Steno copy be supplied.

**Member (J)**

**Vice-Chairman**

dnk.

O.A. No.209/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.06.2020**

Heard Shri N.R. Saboo, learned counsel for the applicant and Shri V.A. Kulkarni, learned P.O. for the respondents.

2. The respondents are directed to file their reply positively till 11/06/2020. On their failure, the matter would be heard finally as without disclosing any reason pension of the applicant is abruptly stopped.

**S.O. 11/06/2020.**

**Member (J)**

dnk.

O.A. No.238/2020 **(SB)**

**Coram : Hon. Shri A.D. Karanjkar,  
Member (J).**

**Dated : 01.06.2020**

None for the applicant. Shri V.A. Kulkarni, learned P.O. for respondent nos. 1 to 3. Await service of R-4&5.

The learned P.O. submitted that two weeks time is required to file reply. At his request, **S.O. two weeks.**

**Member (J)**

dnk.

O.A.No.132/2020 (S.B.)

**Coram:Shri Shree Bhagwan, Vice Chairman**  
**Dated :01/06/ 2020.**

Heard Shri S.P.Palshikar, the Id. Counsel for the applicant and Shri P.N.Warjekar, the Id. P.O. for the respondents.

2. The Id. counsel for the applicant submitted that applicant was suspended vide order dated 16.02.2018 as per Annexure-A-1, P.B., Pg. No. 16. He further submits that Departmental Enquiry has been kept pending; in view of Criminal case in the trial court. However, he further submits that that till now no chargesheet has been filed in Criminal case.

3. The Id. P.O. desires to file reply, however, in such cases, Law is well settled vide various Judgments of Hon'ble Supreme Court and Government of Maharashtra, G.A.D., G.R. dated 09.07.2019 (Annexure-A-4, P.B., Pg. No. 21).

4. The Id. counsel for the applicant pointed out Hon'ble Supreme Court Judgment:-

The Hon'ble Apex Court in its Judgment in Civil Appeal No. 8427-8428 of 2018 (Arising out of S.L.P. (Civil) No. 12112-12113 of 2017) in the case of **State of Tamil Nadu Vs. Pramod Kumar IPS and Anr. delivered on 21/08/2018** in its para no. 23 had observed as follows:-

23. This Court in **Ajay Kumar Choudhary v. Union of India, (2015) 7 SCC 291** has frowned upon the practice of protracted suspension and held that suspension must necessarily be for a short duration. On the basis of the material on record, we are convinced that no useful purpose would be served by continuing the first Respondent under suspension any longer and that his reinstatement would not be a threat to a fair trial. We reiterate the observation of the High Court that the Appellant State has the liberty to appoint the first Respondent in a non sensitive post.

5. The Id. counsel for the applicant has relied on G.A.D. G.R. dated 09.07.2019 particularly on para 1 (ii) on P.B., Pg. No. 22 and Hon'ble Supreme Court Judgment.

6. In view of the above circumstances, respondents are directed to revoke the suspension order dated 16.02.2018 and reinstate the applicant and post him as per Hon'ble Supreme Court directions **within 15 days from the date of this order.**

7. With the above directions, **O.A. is disposed of with no order as to costs.**

8. *Steno copy is granted.*

**Vice Chairman**

**Date:-01/06/2020.**

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