

O.A. 222/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 26/05/2020.

Shri N.R. Saboo, learned counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned counsel for the applicant submitted service affidavit.

3. The learned P.O. desires three weeks time to file reply. At his request, **S.O. after three weeks.**

Vice-Chairman

dnk.

O.A. 223/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 26/05/2020.

Shri N.R. Saboo, learned counsel for the applicants and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned P.O. desires three weeks time to file reply from the respondents. At his request, **S.O. after three weeks.**

Vice-Chairman

dnk.

O.A. 269/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 26/05/2020.

Heard Shri G.G. Bade, Id. counsel for the applicant and Shri S.A. Sainis, Id. P.O. for the State,

2. As submitted by the learned counsel for the applicant, the applicant was appointed on 24/08/1983 as Police Constable and he is superannuated on 31/01/2019. His retiral benefits excluding full pension and gratuity have not been paid. Aggrieved with denial of full pension and gratuity, he has approached to this Tribunal.

3. However in para-6.2 at page no.2 of the O.A. it has been pointed out that a Criminal Case no. 22/2017 was filed against the applicant on 02/12/2017 under the provisions of prevention of corruption Act, under Section 7,13 (1) (d) r/w Section 32 and it is pending.

4. In the meantime, issue notice to the respondents, returnable **after four weeks.** Learned P.O. waives notice for the State. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. after four weeks.

Vice-Chairman

dnk.

O.A. 270/2020 (S.B.)

**Coram: Shri Shree Bhagwan,
Vice-Chairman.**

Dated : 26/05/2020.

Heard Shri G.G. Bade, learned counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the State.

2. As submitted by the learned counsel for the applicant, the applicant was appointed as Forest Guard as per the letter dated 17/02/2004 (A-2,P-12) and the applicant has a diploma in Civil Engineering. The applicant has made representation dated 02/12/2017 (A-1,P-10) to the respondents for absorption in Junior Engineer Class-III post, He has further submitted representation dated 9/1/2018 as per page no.11.

3. The respondent nos.1&2 are directed to decide the representations within a period of three months from the date of this order.

4. With above direction, the O.A. stands disposed of. No order as to costs.

Steno copy be supplied.

Vice-Chairman

dnk.

O.A. No.271/2020 (SB)

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

Dated : 26.05.2020

Heard Shri N.R. Saboo, learned counsel for the applicant and Shri S.A. Sainis, learned P.O. for the State.

2. Issue notice to the respondents, returnable **after two weeks**. Learned P.O. waives notice for the State.. Hamdast allowed.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced

along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. In the meantime, the respondents are directed to inform what decision is taken on the representation made by the applicant in O.A. 507/2018 and whether the order dated 20/12/2019 passed in that application is complied.

S.O. after two weeks.

Member (J)

dnk.

O.A. Nos.272,273 & 274 of 2020 (D.B.)

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

Dated : 26/05/2020.

Heard Shri S.P. Palshikar, learned counsel for the applicants and Shri S.A. Sainis, Id. P.O. for the State.

2. We have perused the impugned order dated 28/04/2020 by which all the applicants are dismissed from the service. It is grievance of the applicants that the Director General of Police (M.S.) / Superintendent of Police have exercised the powers under article 311 (2) (b) of the Constitution of India and dismissed all the applicants from the service without conducting inquiry. We have perused the reasons recorded by the Disciplinary Authority and the Authority has recorded that as the applicants are Police Officers, no witness would come forward to depose against them and therefore it was not practicable to initiate the inquiry and therefore the Disciplinary Authority was pleased to dismiss the applicants from the service.

3. In view of this, we direct to issue notices to the respondents for final hearing. The respondents are directed to submit their reply positively and on their failure, the matter would be finally heard.

4. Issue notice to the respondents, returnable on **11/06/2020**. Learned P.O. waives notice for State. Hamdast allowed.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. 11/06/2020.

Member (J)

Vice-Chairman

dnk....