

✓  
Thanks

[Sp1/MAT/F-5/E]

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/745 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 26 FEB 2016

**ORIGINAL APPLICATION NO. 176 OF 2016.**

**(Sub :- Revocation of Suspension)**

1. Shri Ramesh B. Jaid,  
Add. Plot No. 36 F, Sector No. 5, Kharghar, Navi Mumbai-410210.

....**APPLICANT/S.**

**VERSUS**

- 1 State of Maharashtra, Through  
Chief Secretary, M.S., Mantralaya,  
Mumbai-32.
- 2 Addl. Chief Secretary (Finance)  
Finance Dept., Maharashtra,  
Mantralaya.

...**RESPONDENT/S**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 18<sup>th</sup> day of **February, 2016** has made the following order:-*

APPEARANCE : Shri D.B. Khaire, Advocate for the Applicant.  
Shri N.K. Rajpurohit, P.O. for the Respondents.

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**

DATE : **18.02.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*Anand  
20/2/2016*

**Research Officer,  
Maharashtra Administrative Tribunal,  
Mumbai.**

(6)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 176 OF 2016**

**DISTRICT : THANE**

Shri Ramesh Bhauji Jaid, )  
[suspended], Plot no. 36-F, )  
Sector No. 5, Khargar, )  
Navi Mumbai 410 201. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through Chief Secretary, )  
Maharashtra State, )  
Mantralaya, Mumbai-32. )  
2. Addl. Chief Secretary, )  
[Finance], Finance Department )  
Mantralaya, Mumbai. )...**Respondents**

Shri D.B Khaire, learned advocate for the Applicant.

Shri N.K. Rajpurhoit, learned Chief Presenting Officer for  
the Respondents.

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**



**DATE : 18.02.2016**

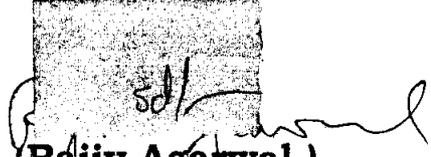
**ORDER**

1. Heard Shri D.B Khaire, learned advocate for the Applicant and Shri N.K. Rajpurhoit, learned Chief Presenting Officer for the Respondents.
2. Learned Advocate Shri Khaire stated that the Applicant was suspended by order dated 22.5.2014. He has made a representation against his suspension and is seeking reinstatement in service. The Applicant submitted representation on 5.1.2015 to the Chief Secretary for revocation of suspension and reinstatement in service. No reply was received. The Applicant then submitted another representation on 17.7.2015. He has not received any reply to the said representation also. He stated that as per G.R dated 14.10.2011 the case of employees under suspension are to be placed before the appropriate Review Committee for review. However, though the Applicant has made two representations, he is not aware whether his representation has been placed before the appropriate Committee and if so, the decision of the Committee.
3. The Respondents are directed to take a decision on his latest representation dated 17.7.2015 within a period of one month, and if not already decided.

If decision is taken, the same may be communicated to him.

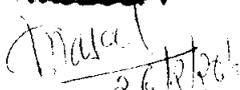
4. Learned Advocate Shri Khaire stated that the Applicant was deemed to be suspended from 30.4.2014, by order dated 22.5.2014 as he was arrested in a criminal case and was in police custody for five days. He has been paid only 50% of the emoluments as subsistence allowance though as per rules he is entitled after three months to get 75% of the emoluments as subsistence allowance. The Respondents are directed to take decision in this regard as per rules within a period of one month.

5. This Original Application is disposed of with aforesaid directions with liberty to the Applicant that in case the order of the Review Committee is adverse to him, he will be at liberty to file a fresh Original Application, challenging the said order.

  
(Rajiv Agarwal)  
Vice-Chairman

**Place : Mumbai**  
**Date : 18.02.2016**  
**Dictation taken by : A.K. Nair.**

H:\Anil Nair\Judgments\2016\Feb 2016\O.A 176.16 Revocation of suspension order SB.0216.doc

TRUE COPY  
  
26/2/2016  
Asst. Registrar / Research Officers  
Maharashtra Administrative Tribunal  
Mumbai