

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.**

ORIGINAL APPLICATION NO.740 OF 2017

DISTRICT : PUNE

Smt. Savita H. Bhagwat)
R/at. : 14/6, Police Line, Indrayani)
Nagar, Bhosari, Pune.).....**Applicant**

VERSUS

1. State of Maharashtra, through)
The Additional Chief Secretary,)
Home Dept., Mantralaya,)
Mumbai – 400 032.)
2. The Commissioner of Police,)
2, Sadhu Vaswani Rd, Camp,)
Pune 411001.)
3. The Joint Commissioner of Police,)
Sadhu Vaswani Chowk, near GPO,)
Pune 1.)
4. The Deputy Commissioner of Police,)
Crime, Pune City, Sadhu Vaswani)
Chowk, Near GPO, Pune 1.).....**Respondents**

Shri K.R. Jagdale, the learned Advocate for the Applicant.

Shri A.J. Chougule, learned Presenting Officer for the Respondents.

CORAM : Shri B.P. Patil, Member (J)

DATE : 01.11.2017

ORDER

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.
2. The applicant has challenged the impugned order dated 29.08.2016 passed by the respondent no.1 dismissing his appeal and confirming the order dated 03.09.2015 passed by the respondent no.3 in departmental enquiry holding her guilt and imposing punishment withholding one annual increment.
3. The applicant has filed the Review Application (R.A.) against the order dated 29.08.2016 passed by the respondent no.1 with respondent no.1. In view of the Provision of Rule 25(a) of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979, the same is still pending
4. The Applicant has exhausted remedy of filing Review Petition against the order passed by the respondent no.1 on 29.08.2016. The R.A. filed by the applicant is still pending before the respondent no.1 and it is not yet decided.
5. The Applicant has filed the R.A. on 15.03.2017 and without waiting for expiry of period of six months as provided under Section 20(1)(b) of the Administrative Tribunals Act. The Applicant has filed the present O.A. on 04.08.2017 before expiry of six months as provided by the aforesaid Section. The present O.A. is not maintainable as it is pre-mature. Therefore, it is required to be disposed of accordingly.
6. The Review Petition of the applicant is pending before the respondent no.1. Therefore, it is just to direct the respondent no.1 to decide the Review Petition of the applicant dated 15.03.2017 as early as possible preferable within two months from the date of order.

7. In view of the above facts, the present O.A. is disposed of as not maintainable with direction to respondent no.1 to decide the R.A. filed by the applicant within two months from the date of order. No order as to costs.

Sd/-
(B.P. PATIL)
MEMBER (J)

Date : 01.11.2017

Place : Mumbai

Dictation taken by : VSM

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