

O.A. 220/2020 (S.B.)

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

Dated : 20/04/2020.

Heard Shri G.N. Khanzode, learned counsel along with learned Advocate Shri Nalin Majethia, learned counsel for the applicant and Shri M.I. Khan, learned P.O. for the State.

2. The learned counsel for the applicant has pointed out that the applicant has been placed under suspension by order dated 14/04/2020 (A-3,P-16) by the respondent no.3 on the charge that the applicant had demanded Rs.15,000/- from Dr. Sneha Bhuyar, Sukhkarta Hospital, Yavatmal. The learned counsel for the applicant further submits that there is no evidence or inquiry report on record which proves this charge. He has further placed on record the applicant's representation dated 15/04/2020 (A-4,P-17) which has been submitted to the respondent no.3 for revocation of the suspension order.

3. The learned counsel for the applicant has also placed on record the letter dated 18/4/2020 (A-6,P-21) written by Dr. Sneha Bhuyar, Sukhkarta Hospital, Yavatmal to the respondent no.3. In the said letter, in para-2 though she has said that she did not give

money, but first line in this para is slightly ambiguous. Another document placed by the learned counsel for the applicant is the letter dated 18/4/2020 (P-22) written by the Dr. Mahesh R. Shah which is not clear that this letter is addressed to whom and even contents of the letter are not very clear.

4. In this situation, it is desirable to take reply by the respondents' preferably respondent no.3 to decide the matter. It is made clear that if the reply is not filed, the matter will be heard finally on the next date.

5. Issue notice to the respondents, returnable on **04/05/2020**. Learned P.O. waives notice for R-1. Hamdast allowed.

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

7. 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.

8. 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.

9. 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.

10. 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. 04/05/2020.

Vice-Chairman

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