

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

**WRIT PETITION NO.3712 OF 2015**

Pradeep Rambhau Hazare

-vs-

The State of Maharashtra, Higher and Technical Education, Mumbai, Thr. its Secretary,  
and ors.

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Vishal Anand, counsel for the petitioner.  
Smt. Bharti Dangre, GP for the respondents.

**CORAM : SMT. VASANTI A. NAIK &  
A.S.CHANDURKAR, JJ.**

**DATE : 02.02.2016**

By this petition, the petitioner challenges the order of the Maharashtra Administrative Tribunal dated 27/03/2015 dismissing the original application filed by the petitioner challenging the recovery of Rs.5,29,869/-.

While the petitioner was working as a Craft Inspector with the respondent, when he was required to hold additional charge of Storekeeper from 2000-04, according to the respondent, due to the lapses on the part of the petitioner there was a loss to the store and it was found by the Enquiry Committee that said loss was to the tune of Rs.12,39,918/- A second Enquiry Committee was constituted and the loss was found to be 11,60,752/- The respondents were pleased to constitute a third Enquiry Committee which found that the loss caused to the store due to the lapses on the part of the petitioner amounted to Rs.5,29,870/-. The loss of

Rs.5,29,870/- was sought to be recovered from the petitioner and hence the petitioner challenged the recovery in the original application. The Maharashtra Administrative Tribunal dismissed the original application filed by the petitioner.

On hearing the learned counsel for the parties and on a perusal of the impugned order, it appears that the Tribunal was justified in dismissing the original application. The Tribunal held that there was no reason for the Committee to falsely implicate the petitioner and hold him responsible for the loss to the store. The Tribunal found that the Committee consisted of six officials and the report of the Committee could not have been effectively challenged. The submission made on behalf of the petitioner that the respondents were not justified in constituting three different Committees and hence the order of recovery is liable to be set aside was rejected by the Tribunal as the Tribunal found that the petitioner was benefitted by the constitution of the second and third Enquiry Committee, in as much as, the loss to the store was found to be lessor as per the second Enquiry Report and still lessor by the third Enquiry Report. The order of the Tribunal appears to be just and proper.

Since the order of the Tribunal calls for no interference, the writ petition is dismissed with no order as to costs.

**JUDGE**

**JUDGE**