

**Resumed on S.A on 04.12.2023.****Further examination-in-chief by Smt. Tanuja Tadvi, Ld. Advocate for the Respondents.**

21. I have filed my affidavit-in-lieu of examination-in-chief at Exhibit C-7. The contents of the same are true and correct. It bears my signature.

**Cross-examination by Shri Prakash Devdas, Ld. Advocate for the Complainant.**

22. I was not the enquiry officer in this matter. I don't know whether Model Standing Orders are applicable to the employees of Corporation. I have not read the Complaint. It is correct that before filing the affidavit, I have not read the Complaint. It is correct that the enquiry was summary. The enquiry was primary in nature. It is true that we did not produce any witness before the enquiry officer. The summary enquiry is held as per our Rules and not Model Standing Orders. It is correct that the punishment was imposed after the statement of the delinquent employee. I don't know whether the employees did not admit their misconduct in those enquiries. It is correct that the punishment imposed was about the permanent stoppage of increment no benefit would be given of the increment even in retirement dues. I am not of the opinion that the principles of natural justice were not followed in the enquiry. I don't know whether the dues of the Complainant have been paid after retirement. It is correct that the Complainant should not have given information in the application under RTI Act when the Complainant was incharge of

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the post of superior officer in which the complaint was made against the present Complainant. It is correct that besides that, there is no other complaint against the present Complainant. It is correct that the charge of superior officer was given to the Complainant and hence the Complainant supplied the information. I cannot state whether the Complainant was having the charge of the superior officer and hence has not done any wrong. It is correct that I don't know that the Complainant had given wrong information or not. It is not correct that we imposed illegal punishment by conducting illegal enquiry.

Cross is over.

Re-Examination: Nil.

R.O.A.C.

(S.B. PARATE)

Member,  
Industrial Court, Mumbai.

Date:-04.12.2023.

Skn/-