

Date : 04.09.2025

Resumed on S.A.

Further Examination-in-chief by Advocate Smt. Tanuja Tadvi, for the respondents :

18) I have filed my affidavit of examination-in-chief. Now I am shown the said affidavit Exh.C-9. It is the same. It bears my signature. The contents therein are drafted by my counsel as per my say. I read over the contents of my affidavit and the same are recorded as per my say and are true and correct.

Cross Examination for complainant by Advocate Smt. Vidula Patil:

19) I know personally to the complainant. I am retired. I have given examination-in-chief based on the documents. I have no personal knowledge about the enquiry proceedings of the complainant. I do not know Colony Officer is Public Information Officer under the RTI Act in the Corporation. It is true that charge of Colony Officer was given to the complainant w.e.f. 15.10.2018. It is not true that Brijesh Thakur was not asked information under Right to Information Act to the complainant when the complainant was Colony Officer. It is true that Brijesh Thakur had filed the complaint against the complainant.

20) It is true that Brijesh Thakur was serving as a Rent Collector in R/South Ward of the Corporation. It is true that charge-sheet was issued to the complainant based on the complaint of Brijesh Thakur. It is not true that charge-sheet was not issued to the complainant as per the Model Standing Orders. It is true that charges are leveled against the complainant as per the BMC Rules and Regulations. I don't know what are the provisions of Model Standing Orders. It is true that the departmental enquiry of the complainant is made as per the BMC Rules and Regulations as well as Municipal Service Rules. It is true that

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punishment order was issued to the complainant as per the Municipal Service Rules. It is true that awarded punishment to the complainant is implemented. It is true that complainant retired on 31.12.2021. It is true that punishment order of the complainant is revised on 03.01.2023. It is true that the revised order was not passed after giving opportunity of hearing to the complainant.

21) It is not true that supplementary charge-sheet of the same charges was issued to the complainant. It is not true that enquiry of the complainant was not carried out as per Model Standing Orders, therefore, the said enquiry and punishment order are not valid. It is not true that whatever I stated in my examination-in-chief is false. It is not true that I am deposing false.

Cross is over.

Re-Examination: Nil.

R.O.A.C.

sd/-

Place :- Mumbai.
Date :- 04.09.2025
skn/-

(V.P. Patkar)
President,
Industrial Court, Mah., Mumbai.