

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**CONTEMPT APPLICATION NO 82/2015  
IN  
ORIGINAL APPLICATION NO 10 OF 2009**

Shri A.K Pusegaonkar & Others )...**Applicants**

**Versus**

The State of Maharashtra & Others )...**Respondents**

Shri A.V Bandiwadekar, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : Shri Justice A.H Joshi (Chairman)**

**DATE : 05.09.2018**

**ORDER**

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. This Contempt Application was on yesterday's Board. Learned C.P.O prayed for a day's time for studying the case. Therefore, hearing was adjourned and the C.A is kept on today's Board.

3. Today learned C.P.O has tendered copy of letter received from the Department requesting for grant of two weeks' time for enabling Secretary to file affidavit.

4. Learned C.P.O was called to state as to the date when order dated 31.7.2018 was communicated.

5. Learned C.P.O states that the record shows that the copy of order was sent by email on 9.8.2018.

6. It prima facie appears that Secretary, Shri Saurabh Vijay, had no opportunity to see the order at an earliest occasion.

7. Shri Saurabh Vijay, Secretary, Higher and Technical Education, Mantralaya, Mumbai is directed as follows:-

(i) To file own affidavit stating the date when he has actually seen the order passed by this Tribunal on 31.7.2018 in present contempt case.

(ii) What precluded him from calling the papers and studying the file at an earliest occasion?

8. Affidavit on points noted in foregoing para be filed on or before 10.9.2018.

9. This does not absolve the Secretary, Shri Saurabh Vijay from filing affidavit furtherance to order dated 31.7.2018.

10. S.O to 10.9.2018.

11. Steno copy and Hamdast is granted. Learned C.P.O is directed to communicate this order to the Respondents.

**Sd/-**  
**(A.H. Joshi, J.)**  
**Chairman**

**Place : Mumbai**  
**Date : 05.09.2018**  
**Dictation taken by : A.K. Nair.**