

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

ORIGINAL APPLICATION NO.941 OF 2019

DISTRICT:- OSMANABAD

Dr. Shukracharya Gokul Dudhal,
Age : 36 years, Occ. Nil,
R/o. Pathrud, Tq. Bhoom,
Dist. Osmanabad.

...APPLICANT

V E R S U S

1. The State of Maharashtra,
Through its Principal Secretary,
Tribal Development Department,
Mantralaya, Mumbai-32.
2. The Commissioner,
Tribal Development Department,
Gadkari Chowk, Nashik.
3. The Additional Commissioner,
Tribal Development Department,
Gadkari Chowk, Nashik.

... RESPONDENTS

APPEARANCE : Shri A.U.Aute, Advocate holding for
Shri S.B.Talekar, Advocate for the
Applicant.
: Shri M.S.Mahajan, Chief Presenting
Officer for the respondents.

**CORAM : JUSTICE SHRI P.R.BORA, VICE CHAIRMAN
AND
SHRI BIJAY KUMAR, MEMBER (A)**

Reserved on : 02-05-2022

Decided on : 14 -06-2022

O R D E R
(PER: HON'BLE SHRI BIJAY KUMAR)

1. This Original Application has been filed by one Dr. Shukracharya Gokul Dudhal on 14.10.2019 invoking provisions of S. 19 of the Administrative Tribunals Act, 1985 essentially challenging following two orders passed by Respondent No.1 and praying for reinstatement, confirmation and grant of all consequential benefits:

- i. Termination order dated 18.01.2018 passed by Respondent No.1 which had been challenged by the applicant by filing Original Application No.126 of 2018 before this Tribunal and the same was decided by this Tribunal vide order dated 09.07.2019 allowing the prayer of the Applicant.
- ii. Order passed by Respondent No.1 dated 21.09.2019 in compliance with the order of this Tribunal in Original Application No.126 of 2018.

2. On perusal of records relating to the Original Application No.126 of 2018 it is found that this Tribunal had passed following order on 09.07.2019:

**“FARAD CONTINUATION SHEET
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AURANGABAD BENCH, AURANGABAD**

ORIGINAL APPLICATION No. 126/2018
(Dr. Shukracharya G. Dudhal V/s. State of Maharashtra &
Ors)

OFFICE ORDER

TRIBUNAL’S ORDERS

“CORAM: A. R. Chadha, Member (A)
(This matter is placed before the Single Bench due to non-
availability of Division Bench)

DATE : 09.07.2019

ORAL ORDER:

Heard Shri S. S. Dambe, learned Advocate for the applicant and Shri Ajay Deshpande, learned Special Counsel for the respondents.

2. *With the consent of both the sides, the present O.A. is disposed of.*

3. *During the hearing the learned Advocate for the applicant has submitted a copy of representation dated 01.07.2019 addressed by the applicant to the Hon’ble Minister, Tribal Development Department. It is taken on record and marked as ‘X’ for the purpose of identification. Learned Advocate for the applicant submits that the applicant would be satisfied if the said representation is decided by the Government within a period of 2 months.*

4. *In the circumstances, the concerned respondents are directed to decide the representation of the applicant dated 01.07.2019 within a period of 2 months from the date of this order and communicate the decision thereon to the applicant in writing.*

5. *In view of above observations, the present Original Application is disposed of with no order as to costs.*

MEMBER (A)”

3. It is a matter of record that the respondents have decided the representation made by the applicant and communicated the same in writing to the applicant vide letter No. सेवास-2018/प्र.क्र.16/ .15, Dated- 21st September 2019 in full compliance with the order passed by this Tribunal in O.A. No.126/2018 on 09.07.2019, considering submissions made by the applicant and accordingly allowing the prayer of the applicant made before the Tribunal. Therefore, no cause of action for filing the present O.A. survives.

4. Therefore, in our considered opinion, this Original Application is of the nature of re-agitating the cause of action which has been finally adjudicated allowing the prayer of applicant in O.A. No.126/2018 vide this Tribunal's order dated 09.07.2019 and as such, the same is devoid of merit. Accordingly, following order is passed:-

O R D E R

A. The Original Application No.941 of 2019 is devoid of merit and therefore, being dismissed.

B. No order as to costs.

(BIJAY KUMAR)

MEMBER (A)

Place : Aurangabad

Date : 14-06-2022.

(JUSTICE P.R.BORA)

VICE CHAIRMAN