

O.A. No.357/2019.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman (A)

Dated : 17th May 2019.

Heard Shri Vishal Anand, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.1.

2. Contention of the Ld. counsel for the applicant is that as per Annexure A-11, applicant's name should have been considered for promotion to the post of A.P.O. However, applicant's name is not recommended in the said letter dated 6.5.2019.

3. Issue notice to R. 2 to 5 returnable in 2nd week of June 2019.

4. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.1. Hamdast granted.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of

compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. If any promotion order is issued in the light of this letter dated 6.5.2019 (A-11), it will be subject to the final outcome of this O.A.

11. S.O. **2nd week of June 2019.**

Vice-Chairman(A)

Dt. 17.5.2019

Pdg

O.A. No.358/2019.

(D.B.)

Coram:Shri Shree Bhagwan,
Vice-Chairman (A)

Dated : 17th May 2019.

Heard Shri A.M. Borkar, the Ld. counsel for the applicant and Shri S.A. Deo, the learned C.P.O. for the respondent No.2.

2. The Ld. counsel for the applicant has pointed out advertisement by MPSC (A-1) in which it has been pointed out about the experience clause 4.5 (P.23). However, the Ld. counsel for the applicant submits that the applicant is aggrieved by the order dated 25.4.2019 by MPSC (A-3, Page 28). Contention of the Ld. counsel for the applicant is that similarly placed candidates were interviewed by MPSC. The Ld. counsel for the

applicant is directed to make such candidates also as party respondents.

3. Issue notice to R. 1 and 3 returnable in **four weeks** and if the Ld. counsel for the applicant adds respondents as party, notices be issued to them also.

4. Shri S.A. Deo, the learned C.P.O. waives notice for the respondent No.2. Hamdast granted.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the

Maharashtra Administrative Tribunal (Procedure) Rules,1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **three days** and if service report on affidavit is not filed **three days** before returnable date. Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. S.O. **four weeks.**

Vice-Chairman(A)

Dt. 17.5.2019

Pdg