

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 523 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 10 FEB 2016

**M.A. No. 56/2016 IN O.A. No. 296/2015.**  
**(Sub :- Deemed Date of Promotion)**

- 1 Govt. of Maharashtra, Through Chief Secretary, Mantralaya, Mumbai-32.      2 Govt. of Maharashtra, Through Addl. Chief Secretary, G.A.D., Mantralaya, Mumbai-32.  
...**APPLICANT/S. (Ori. Resp.)**

**VERSUS**

1. Shri Bhaurao R. Gavit & 03 Ors.,  
C/o. Shri M.D. Lonkar, Advocate for the Respondents.  
...**RESPONDENT/S (Ori. Appli.)**

Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 09<sup>th</sup> day of **February, 2016** has made the following order:-*

APPEARANCE : Shri. K.B. Bhise, P.O. for the Applicants. (Ori. Resp.)  
Shri M.D. Lonkar, Advocate for the Respondents. (Ori. Appli.)

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**

DATE : **09.02.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

*[Signature]*  
**Research Officer,  
Maharashtra Administrative Tribunal,  
Mumbai.**

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**MISC APPLICATION NO. 56 OF 2016  
IN  
ORIGINAL APPLICATION NO 296 OF 2015**

**DISTRICT : MUMBAI**

The State of Maharashtra & Ors

)...Applicants  
(Ori Respondents)

**Versus**

Shri B. R Gavit & others

)...Respondents  
(Ori Applicants)

Shri K.B. Bhise, learned Presenting Officer for the Applicants (Ori Respondents).

Shri M.D Lonkar, learned Advocate for the Respondents (Ori Applicants).

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 09.02.2016**

**ORDER**

1. Heard Shri K.B Bhise, learned Presenting Officer for the Applicants (Ori Respondents) and Shri M.D Lonkar, learned advocate for the Respondents (Ori Applicants).

2. This Misc Application has been filed seeking enlargement of time of 10 weeks to comply with the order of this Tribunal dated 8.12.2015. By that order eight weeks time was

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granted to the Respondents to settle the Applicants' deemed date matter.

3. Learned Advocate Shri Lonkar for the Respondents (Ori Applicants) strongly opposed grant of enlargement of any further time as he stated that sufficient time was given to the Applicants (Original Respondents) to settle this matter.

3. Learned Presenting Officer, however, stated that the Applicants (Original Respondents) are making sincere efforts to resolve the issue and in the Misc Application a chart has been given indicating the time frame within which this issue will be resolved.

4. Considering the fact that this Tribunal has already given eight weeks time to the Applicants (Ori Respondents) to resolve the issue regarding grant of deemed date of promotion to the Respondents (Ori Applicants), further extension of time does not seem to be justified. However, very reluctantly further time of six weeks from today is granted to the Applicants (Ori Respondents).

5. Learned Advocate Shri Lonkar stated that Respondents (Ori Applicants) are put in a humiliating position where they are required to work under the persons junior to them. The Applicants (Original Respondents) are promoting officers without granting deemed date to them. He, therefore, prayed that till the issue regarding grant of deemed date of promotion of the Respondents (Ori Applicants) is resolved, the Applicants (Ori Respondents) must be restrained from making any further promotion to the post of Deputy / Joint Secretary, which appears to be a very drastic request.



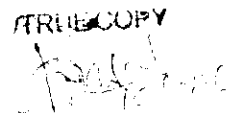
6. However, it is made very clear that if the issue is not resolved within the extended time of six weeks, this Tribunal will be constrained to consider this request of the Respondents (Or Applicants).

7. Misc Application accordingly stands disposed of. Place the Original Application on 22.3.2016 before Division Bench.

  
**(Rajiv Agarwal)**  
**Vice-Chairman**

**Place : Mumbai**  
**Date : 09.02.2016**  
**Dictation taken by : A.K. Nair.**

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Asst. Registrar / Research Officers  
Maharashtra Administrative Tribunal