

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 560 /2016  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 11 FEB 2016

**ORIGINAL APPLICATION NO. 427 OF 2014.  
(Sub :- Continuation of Service)**

1. Shri. Vitthal T. Jadhav,  
R/o. ND-42 N-75/2, Hudco, Nanded.  
Presently R/o. Sassoon Hospital Quarters, Pune.

....**APPLICANT/S.**

**VERSUS**

- |   |  |   |  |
|---|--|---|--|
| 1 | The State of Maharashtra,  | 2 | Deputy Director, Health Services,<br>Nr. Baba Petrol Pump, Station Rd.,<br>Aurangabad. |
| 3 | Secretary, Health Dept.,<br>Mantralaya, Mumbai-32.                       | 4 | Director, Medical Education &<br>Research Dept., St. George<br>Hospital, Mumbai.       |
| 5 | Secretary, Medical Education &<br>Research Dept., Mantralaya,<br>Mumbai. |   |  |

...**RESPONDENT/S**

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 S.D. Patil, Advocate for the Applicant.  
Shri. A.J. Chougule, P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER(J).**

DATE : **09.02.2016.**

ORDER : Order Copy Enclosed/ Order Copy Over Leaf.

*Arvind  
11/02/2016*

**Research Officer  
Maharashtra Administrative Tribunal,  
Mumbai.**

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(G.C.P.) J 2260(B) (50,000-2-2015)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**O.A.427/2014**

Heard Shri S.D. Patil, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

This OA can be disposed of by consent in so far as the hearing of the OA is concerned. It is, however, recorded that the learned P.O. does not give any consent for manner in which the OA is to be disposed of.

The relief herein sought is for continuation of service of the Applicant in the circumstances that it may not now be necessary to be detailed out. Provisions of Section 3 of the Maharashtra Civil Services (Regulation of Seniority) Rules, 1982 has been invoked. My attention is invited by the learned Advocate for the Applicant to the representation made by him on 15.2.2014, a copy of which is at Exh. 'L' (Page 81 of the paper book). Therein, circumstances were narrated by the Applicant as to how his services were terminated as a result of an order of this Tribunal which came to be set aside by the Hon'ble High Court. Thereafter, he made a representation just referred to, which is still pending.

It, therefore, appears that when this OA was brought on 7.5.2014, a period of six months had not elapsed in so far as decision on the above referred representation was concerned. There is always a possibility of a technical issue being raised in that behalf, and therefore, I accept the request of the learned Advocate for the Applicant to dispose of this OA with directions to decide said representation of the Applicant within six weeks from today. Although the learned P.O. even does not agree for this time limit implying perhaps that he wants longer period

DATE: 9/2/16

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : S.D. Patil


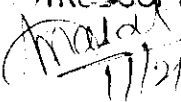
Advocate for the Applicant

Shri/Smt. : A.J. Chougule

C.P.O./P.O. for the Respondents

Adj. To. : Head

order passed by Tribunal column  
OA is disposed of with directions no order as to costs.  
steno copy

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>which cannot be accepted in the circumstances.</p> <p>The OA is accordingly disposed of with a direction to the Respondents 3 &amp; 5 to decide the representation of the Applicant dated 15.2.2014, part of Exh. 'L' collectively (Page 81 of the paper book) within six weeks from today. Both the sides are represented and no specific notice shall be necessary and all concerned will act in accordance with Steno-copy hereof. No order as to costs.</p> <p style="text-align: right;">   (R.B. Malik)  Member (J)  09.02.2016 </p> <p>(skw)</p> <p style="text-align: right;"> TRUSCOPY    17/2/2016  Asst. Registrar / Research Officers  Maharashtra Administrative Tribunal  Mumbai </p>