

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/2144 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 22 JUN 2016

**M.A. No. 206/16 IN R.A. No. 10/16 IN O.A. No. 318/15 With
R.A. No. 10/16 IN O.A. No. 318/15.
(Sub :- Appointment)**

1 The Chairman, M.P.S.C., M.S., Mumbai-21.

.....**APPLICANT/S.(Ori. Resp. No.1)**
VERSUS

1. Dr. Tushar N. Rathod,
R/at. Flat No. 704, Gulmohar C.H.S., Pratiksha Nagar, Sion, Mumbai.

...**RESPONDENT/S(Ori.Applicant)**

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 16th day of June, 2016 has made the following order:-

APPEARANCE : Shri. K.B. Bhise, P.O. for the Applicants-Ori. Resp.No.1
Shri A.V. Bandiwadekar, Advocate for the Respondent (Ori. Appli.)

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**
HON'BLE SHRI R.B. MALIK, MEMBER (J).

DATE : **16.06.2016.**

ORDER : Order Copy Enclosed / Order Copy Over leaf.

malik
22/6/2016
Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

Tribunal's ordersMA.206/16 in RA.10/16 in OA318/15with RA.10/16 in OA318/15

Heard Shri K.B. Bhise, learned Presenting Officer for Applicants-original Respondents and Shri A.V. Bandiwadekar, learned Advocate for Respondent-original Applicant.

2. The delay stands hereby condoned and MA No.206 of 2016 is allowed.

3. RA is taken up for hearing forthwith. No reply has been filed and none is really necessary because any further delay in disposal of this RA would tantamount to providing respectability to the said proceedings which certainly does not deserve.

4. The OA was disposed off by the order made by this Bench on 19.10.2015. The final order was inter alia that the MPSC should send recommendation in respect of the applicant to the Govt. in Medical Education and Drugs Department. Another direction in a similar line was also given. Now, in this RA what has been apparently mentioned is that though we may have said that the applicant's recommendation be sent we have not given direction about the declaration of results. Now, we are completely at a loss to understand as to how recommendation could be sent without declaration of result. As a matter of fact declaration of result was a direction clearly implicit in the directions we gave and if the applicant of this RA still felt some difficulty we are afraid the whole thing was completely contrived and not bonafide. We make it clear that a direction to declare the result was implicit in our order and it is not without some deep consideration that we have decided against imposing cost. RA is accordingly dismissed with no order as to costs.

sdl/-
(R.B. Malik) 16.6.16
Member (J)
16.6.2016

sdl/-
(Rajiv Agarwal)
Vice-Chairman
16.6.2016

ca (sgj)

TRUE COPY

Malik
22/6/2016
Asstt. Registrar/Research Officer
Maharashtra Administrative Tribunal
Mumbai.