

[Spl/MAT/F-5/E]

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH**

NO.MAT/MUM/JUD/ 3782/2017  
Maharashtra Administrative Tribunal  
Pay & Accounts Barrack Nos.3 & 4,  
Free Press Journal Marg,  
Nariman Point, Mumbai 400 021.

Date : 29 SEP 2017

**M.A. No. 240/2017 IN O.A. No. 510/2017 With O.A. No. 510/2017.  
(Sub :- Benefits of Vth Pay)**

1 Shri Ramesh R. Bawkar,  
R/at. 603, Vithal Dham CHS Ltd., Veera Desai Road, Andheri (W),  
Mumbai-58.

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

**VERSUS**

- 1 Maharashtra Industrial Development Corporation, (MIDC), Having its office at "Udyog Sarathi", Marol Industrial Area, Mahakali Caves Road, Andheri (E), Mumbai-93.
- 2 The Industries, Energy and Labour Department of Govt. Of Maharashtra, Having its Office at Mantralaya, Annex Bldg., 1<sup>st</sup> Floor, Mumbai-32. (Through its Principal Secretary Udyog)
- 3 The State of Maharashtra, Through Industries, Energy & Labour Dept., Having its office at Mantralaya, Annex Bldg., 1<sup>st</sup> Floor, Mumbai-32.

...**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 26<sup>th</sup> day of **September, 2017** has made the following order:-

APPEARANCE : Ms. K. Patekar holding for Ms. S. Kasar, Advocate for the Applicant.  
Ms. S. Suryawanshi, P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, VICE-CHAIRMAN.**

DATE : **26.09.2017.**

ORDER : **(M.A. No. 240/2017 IN O.A. No. 510/2017)**

Order Copy Enclosed / Order Copy Over Leaf.

**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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M.A.240/2017 in O.A.510/2017

**Mr. R.R. Bawkar** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

This is an application for condonation of delay. I have perused the record and proceedings and heard Ms. Kirti Petkar holding for Ms. S. Kasar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned PO for the Respondents.

The matter initially was filed in the year 2012 before the Bombay High Court by way of Writ Petition No.2918/2012 (Ramesh R. Bawkar Vs. MIDC and others). On 28<sup>th</sup> January, 2017, the said Writ Petition was dismissed as withdrawn with liberty to adopt appropriate proceedings. It is in this background that the delay of 80 days has been caused. I am so disposed as to hold that despite strong objection of the learned PO and her insistent plea for time to file reply, the delay needs to be condoned in the interest of justice. It is accordingly condoned.

The Applicant and the Office of this Tribunal are hereby directed to process the matter so as to be placed before the appropriate bench for disposal according to law. The MA is allowed in these terms with no order as to costs.

DATE: 26/9/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Ms. Kirti Petkar  
holding for Ms. S. Kasar  
Advocate for the Applicant

Shri Smt. Ms. S. Suryawanshi  
C.P.O./P.O. for the Respondents

Ad. to M.A. is allowed.

*Signature*

*sd/ Juk*  
26/9/17

(R.B. Malik)  
Vice-Chairman  
26.09.2017

(skw)

TRUE COPY

*sd/ Juk*  
29.9.17

Asst. Registrar/Research Officer  
Maharashtra Administrative Tribunal,  
Mumbai