

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/2269 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date :

- 3 SEP 2016

**M.A. No. 310/2016 IN O.A. No. 271/2016.
(Sub :- Seniority List)**

- 1 Shri Vikas R. Jagtap & 02 Ors.,
C/o. Shri M.D. Lonkar, Advocate for the Applicants.

.....Petitioners

AND

- 1 Shri Deepak P. Khade & 03 Ors.,
C/o. Ms. S.P. Manchekar, Advocate for the Applicants.

.....APPLICANT/S.(Ori. Appli.)

VERSUS

- 1 The State of Maharashtra, Through
The Secretary, Forest Department,
Mantralaya, Mumbai-32. 2 The Addl. Chief Secretary (Services)
G.A.D., Mantralaya, 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 29th day of **August, 2016**. has made the following order:-

APPEARANCE : Shri M.D. Lonkar, Advocate for the Petitioners.
Ms. S.P. Manchekar, Advocate for the Ori. Applicants.
Smt. K.S. Gaikwad, P.O. for the Respondents No. 1 & 2.

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

DATE : **29.08.2016.**

ORDER : Order Copy Enclosed / Order Copy Over leaf.

Malik
29/8/2016

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

29.08.2016

M.A 310/2016 in O.A No 271/2016

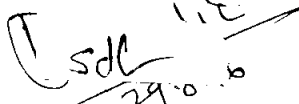
Shri V.R Jagtap & Ors ... Applicants
Vs.
The State of Maharashtra & Ors... Respondents

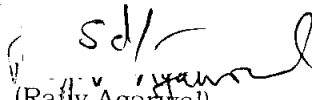
Heard Shri M.D Lonkar, learned, advocate for the Petitioners, Ms Swati Manchekar, learned advocate for the Original Applicants and Mrs K.S Gaikwad, learned Presenting Officer for the Respondents no 1 & 2.

We have perused the record and proceedings. The point is as to whether the present Misc Application survives the test of law with regard to third party impleadment. Our finding thereon is in affirmative for the following reasons.

As far as the facts are concerned, it is not necessary for us to delve into the details thereof in this Misc Application. It would be suffice to mention that going by the nature of the prayer in the O.A which, inter alia, seeks the relief of revamping the seniority position of the entire cadre, the Misc Applicants who are the promotees can atleast be impleaded as proper parties, although the scope of the matter is what it is we consider it unnecessary to delve into the niceties of necessary or proper parties.

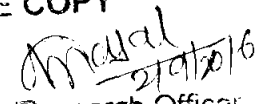
The M.A is therefore allowed. Original Applicants are directed to be impleaded by the Applicants in the Misc Application as party-Respondents along with consequential amendments, if any, within two weeks from today. A consolidated copy post amendment be filed and copy be furnished to the learned P.O and newly added Respondents be served in accordance with rules.


(R.B. Malik)
Member (J)


(Rajiv Agarwal)
Vice-Chairman

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Asstt. Registrar/Research Officer
Maharashtra Administrative Tribunal
Mumbai.