

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/1574 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date :

- 4 MAY 2016

ORIGINAL APPLICATION NO. 219/2016.

(Sub :- Promotion)

- 1 Shri Hanumant J. Nazirkar,
C/o. Shri M.D. Lonkar, Advocate for the Applicant.

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

VERSUS

- 1 Addl. Chief Secretary, G.A.D., State of Maharashtra, Mantralaya, Mumbai-32
- 2 The Principal Secretary, G.A.D., State of Maharashtra, Mantralaya, Mumbai-32.
- 3 The Principal Secretary, Urban Development Dept., State of Maha. Mantralaya, Mumbai-32.
- 4 The Joint Secretary, Urban Development Dept., State of Maha Mantralaya, Mumbai.-32
- 5 The Director of Town Planning, M.S. Pune.
- 6 Shri N.R. Shende, Joint Secretary @ Joint Director of Town Planning (Urban Development Department), 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 04th day of **May, 2016** has made the following order:-

APPEARANCE : Shri M.D. Lonkar, Advocate for the Applicant.
Shri A.J. Chougule, P.O. for the Respondents Nos. 1 to 5.
Shri A.V. Bandiwadekar, Advocate for the Respondent No.6.

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

DATE : **04.05.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

Sd/-
(Rajiv Agarwal)
Vice-Chairman.

Sd/-
(R.B. Malik)
Member (J)

Amal
21/5/2016
Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

**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
	<p align="center"><u>O.A.219/2016</u></p> <p>Heard Shri M.D. Lonkar, the learned Advocate for the Applicant, Shri A.J. Chougule, the learned Presenting Officer for Respondents 1 to 5 and Shri A.V. Bandiwadekar, the learned Advocate for Respondent No.6.</p> <p>This matter is heard for quite some time. It is not necessary at all to set out any facts in detail save and except that the Applicant had sought the order dated 11.8.2011 by which the 6th Respondent was promoted as Joint Director, Town Planning quashed and set aside and the Applicant also sought his own promotion.</p> <p>We have perused the record and proceedings and heard the submissions at the Bar.</p> <p>The Hon'ble Chairman was pleased to make an order on 22nd April, 2016 effectively directing that this matter be placed before this Bench soon after it could be re-convened on 3rd May, 2016. This Bench did not sit during 20th April, 2016 to 29th April, 2016. That order of the Hon'ble Chairman is the subject matter of challenge in the Writ Petition No.526/2016 (Shri Hanumant J. Nazirkar Vs. The Addl. Chief Secretary and others).</p> <p>On 29th April, 2016 the Division Bench of the Hon'ble the Chief Justice noted the fact that this matter would be placed before this Bench on 3rd May, 2016, and therefore, the Writ Petition was adjourned to 4th May, 2016 for admission/hearing. When the matter came up today before us and was debated to a certain extent, Mr. Lonkar, the learned Advocate for the Applicant upon instructions from the Applicant Shri H.J. Nazirkar who is present before the Bench just now made a statement that this OA may be disposed of</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

with direction which shall be given herein below. We make it clear that we have not addressed ourselves to any contentious aspect and express no opinion thereabout.

In the meanwhile, this very Bench decided OA 269/2016 (Shri Sudhakar B. Nangnure Vs. The State of Maharashtra and 3 others, dated 2.5.2016). The post involved therein and the claimants, etc. were more or less the same and it needs to be recorded that initially, Mr. Lonkar requested that this OA be disposed of with a direction to the Government to consider the claim of the Applicant also. However, ultimately this OA is being disposed of in the following manner.

This OA is disposed of with a direction that if the Applicant makes an application for consideration of his case within one week from today and in the event, the Applicant were to do so, the Respondents shall consider the said representation within six weeks from the receipt thereof in accordance with law and convey the outcome thereof to the Applicant within one week thereafter. M.A.s go along therewith. No order as to costs.

DATE: 4/5/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. A.J. Chougale

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

A.V. Bendicoadetkar

Adj. To for A.No. 6.

order passed in
the Tribunal's
column.

O.A. is disposed of
M.A.s go along therewith.

(Signature)

sd/
R.B. Malik
Member (J)
04.05.2016

(skw)

sd/
(Rajiv Agarwal)
Vice-Chairman
04.05.2016

TRUE COPY

(Signature)
4/5/2016

Asstt. Registrar / Research Officers
Maharashtra Administrative Tribunal
Mumbai