

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**MISC APPLICATION NO. 91 OF 2018
IN
ORIGINAL APPLICATION NO 1091 OF 2015**

DISTRICT : MUMBAI

Dr Kshitij D. Lohite & Ors

...Applicant

Vs.

The State of Maharashtra & Ors.

...Respondents

CORAM : **Shri Justice A.H Joshi (Chairman)
Shri P.N Dixit (Member) (A)**

DATE : **16.02.2018**

Shri A.A Desai, learned advocate for the Applicants.

Shri S.K Nair learned Special Counsel with Swati Manchekar, learned Chief Presenting Officer for the Respondents.

ORDER

1. Heard Shri A.A Desai, learned Advocate for the Applicants and Shri S.K Nair, learned Special Counsel with Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Applicant has prayed for leave to treat present O.A as a representative case, because there are large number of claimants/candidates who are selected and appointed/wait listed. All of them may be affected if present group of O.As succeeds on some or other count.

3. On the ground that large number of persons/candidates are involved it would be difficult to serve them with notice of this Tribunal. Moreover, all appointees have been informed that their appointment shall

be subject to outcome of present O.A. In this view of the matter, all selected candidates and all wait listed candidates need to be noticed by public notice and individual notice on email about pendency of present O.A and about it being heard as representative case.

4. In view of foregoing following order is passed:-

- (a) Leave to add 5 among affected person as respondents is granted.
- (b) MPSC is directed to furnish email of the selected candidates to the learned advocate for the applicant by email.
- (c) M.A is allowed in terms of prayer (i) & (ii). Applicant shall serve notice on all candidates whoever had applied, whether selected or not notice be sent through email to all the applicants
- (d) In view that for leave to treat this O.A as representative case is allowed, the applicant is allowed to cause the notice of this O.A to be published in News paper having circulation in Maharashtra within one week from today, and in addition serve copy of notice and paper book of O.A on candidates who are appointed and who are wait listed and who are likely to be affected if present group of O.A succeeds.
- (e) In so far as aspect of interim relief is concerned, it is kept open and it could be considered in the event if hearing of O.A is not completed before 22.3.2018.

5. Let M.A limited for I.R, if need arises, as well the O.A come up for final hearing on 28.2.2018.

Sd/-
(P.N Dixit)
Member (A)

Sd/-
(A.H. Joshi J.)
Chairman

Place : Mumbai
Date : 16.02.2018
Dictation taken by : A.K. Nair.