

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/1206/2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date :

12 APR 2016

**M.A. No. 609/2015 IN O.A. No. 316/2014 With
M.A. No. 610/2015 IN O.A. No. 292/2014
(Sub :- Absorption)**

1. Shri Ambadas H. Gawale & 09 Ors., (M.A.No. 609/15 IN O.A.No. 316/14)
 2. Shri Santosh P. Arabatti & 15 Ors., (M.A.No. 610/15 IN O.A.No. 292/14)
- C/o. Shri A.V. Bandiwadekar, Advocate for the Applicants.

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

VERSUS

- 1 The District Collector, Mumbai,
Having Office at Old Custom House,
Mumbai-01.
- 2 The State of Maharashtra, Through
Principal Secretary, G.A.D.,
Mantralaya, Mumbai-32.
- 3 The State of Maharashtra, Through
Principal Secretary (Revenue),
Revenue & Forest 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 07th day of April, 2016 has made the following order:-

APPEARANCE : Shri A.V. Bandiwadekar, Advocate for the Applicants.
Smt. K.S. Gaikwad, P.O. for the Respondents.

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

DATE : **07.04.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.
(Speaking to minutes of the order dated 10.03.2016).

Agarwal
12/4/2016

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

(7)

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><u>MA No.609 of 2015 in OA. No.316 of 2014 with MA No.610 of 2015 in OA. No.292 of 2014</u></p> <p>Shri A.H. Gawale & Ors. (MA.609/15) Shri S.P. Arabatti & Ors. (MA.610/15)..Applicants Versus The District Collector, Mumbai & Ors ..Respondents</p> <p><u>Speaking to minutes of the order dated 10.3.2016</u></p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Order below application dated 4.4.2016 in the above disposed off MAs.</p> <p>3. Ld. PO makes a statement that in so far as the question of payment of withheld salary is concerned the same will be paid at the earliest. We make it clear that if the underlying idea is to construe, "withheld salary as salary only for two months then that is not appropriate and an accurate way of reading our order, they will have to continue to make the payment."</p> <p>4. Further in so far as the alleged difficulty in construing our order in para 13 a part of which reads as follows:</p> <p style="padding-left: 40px;">"We make it clear that till such time as a final decision is taken in accordance with our orders</p>

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

Tribunal's orders

in the disposed off OAs the status of the
applicants such as it was on that date....

5. In the first place it appears to us that it is an instance of pointless nit picking because the body of the order has to be read and the last para must be studied in the context thereof. However, in order to make sure that because of any problem related to the attitude the concerned parties should not suffer, we clarify that the words "that date" should be so construed as to mean the date of filing of the OA and not the date of disposal thereof. With this clarification application stands disposed off with no order at costs. Hamdast.

Sd/-

Sd/-

(R.B. Malik)
Member (J)
7.4.2016

(Rajiv Agarwal)
Vice-Chairman
7.4.2016

(sgj)

DATE: 7/4/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A. N. Bandiwadkar

Advocate for the Applicant

Shri/Smt. K. S. Geelkewad

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

order passed in the
Tribunal's order.

Adj. To

Application disposed of

TRUE COPY

Asstt. Registrar / Research Officers
Maharashtra Administrative Tribunal
Mumbai