

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
MISCELLANEOUS APPLICATION NO.368 OF 2016
IN
ORIGINAL APPLICATION NO.791 OF 2015 (NAGPUR BENCH)**

DISTRICT : NAGPUR

Dr. Mrs. Mrinalini (Shastri) Borkar)
W/o Milind Borkar, age about 41 years, Occ. Service,)
R/o Plot No.31-A, Shri Gajanan Apartment,)
Naik Layout, Subhash Nagar, Nagpur 440022)..Applicant

Versus

1. The State of Maharashtra,)
Through its Principal Secretary,)
Medical Education and Drugs Department,)
G.T. Hospital Campus Building, 9th floor,)
Lokmanya Tilak Marg, Mumbai 400001)
2. Director of Medical Education and Research,)
Govt. Dental College and Hospital Building,)
4th floor, St. Georges Hospital Campus,)
D'Mello Road, Fort, Mumbai 400001)
3. Dean, Govt. Medical College, Nagpur)
4. Dr. Mrs. Lata Nilesh Bhoir,)
R/o Flat No.2, N/16, Aditya Garden City,)
Warje, Pune 411 058)..Respondents

Shri N.D. Thombre – Advocate for the Applicant

Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 4th October, 2016

ORDER

1. Heard Shri N.D. Thombre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3. None for Respondent No.4.

2. Shri N.D. Thombre, Ld. Advocate for the applicant has tendered affidavit of service. It is taken on record.

3. Ld. PO appears for Respondent No.1 to 3. None for Respondent No.4.

4. Ld. Advocate states that respondent no.4 had failed to cause appearance in the OA at Nagpur.

5. In view of the fact that Division Bench is not available at Nagpur and applicant is relying on judgment already rendered by Division Bench at Mumbai, in the interest of justice OA No.791 of 2015 is transferred to Mumbai for hearing and disposal in accordance with law.

6. Hence, in view of the foregoing, following order is passed:

OA No.791 of 2015 is transferred to Principal Seat at Mumbai for hearing and disposal according to law on following conditions:

- (a) Applicant should apply and collect the original papers by hand delivery and to deposit the same within 15 days.
 - (b) Applicant shall serve intimation of transfer in the office of CPO and all respondents.
 - (c) Furnish additional sets and paper book to the respondents.
 - (d) No notice of transfer would be issued to the Applicant.
 - (e) After transfer and deposit of papers, applicant shall take fresh notice for service on respondents, serve them and file fresh affidavit of service.
7. MA is allowed in terms of foregoing para.

Sd/-

(A.H. Joshi, J.)
Chairman
4.10.2016

Dictation taken by: S.G. Jawalkar.