

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH.**

ORIGINAL APPLICATION NO.1079 OF 2016

DISTRICT : SATARA

Smt. Shama Jayram Kadade)
Research Assistant in Dist. Planning)
Office, Satara.)
R/o. Opp. S.T. Stand, Malkarpur,)
Tahsil Shahu Wadi, Dist. Solapur.).....**Applicant**

VERSUS

1. State of Maharashtra, through)
The Secretary, Planning Dept.,)
Mantralaya, Mumbai – 400 032.)
2. The Director, The Directorate of)
Economics & Statistics, Govt. of)
Maharashtra, 8th floor, Admn. Build.)
Govt. Colony, Bandra (E),)
Mumbai 400 051.).....**Respondents**

Shri C.T. Chandratre, the learned Advocate for the Applicant.

Shri K.B. Bhise, learned Presenting Officer for the Respondents.

CORAM : Shri B.P. Patil, Member (J)

DATE : 01.11.2017

ORDER

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned P.O. for the Respondents.

2. Learned P.O. has submitted on record a communication dated 26.10.2016 sent by the Deputy Director, the Directorate of Economics & Statistics, Maharashtra State, Mumbai to the Deputy Secretary, Planning, Government of Maharashtra, Mumbai and a communication dated 23.02.2017 by the Desk Officer, Government of Maharashtra addressed to Director, the Directorate of Economics & Statistics, Mumbai by which the Director was informed to pass necessary order on the representation of the applicant dated 17.07.2016 to treat her absentee as duty period approving his view that it cannot be treated. Same is taken on record.

3. Learned P.O. has submitted that due over sight, the said communications remained to be communicated to the applicant. He has further submitted that the concerned authority is going to communicate the said decision to the applicant immediately. He has submitted that since the representation dated 17.07.2016 has been rejected by the respondents, nothing remains in the O.A. and, therefore, prays to disposed of the O.A.

3. Shri C.T. Chandratre, learned Advocate fairly submits that the purpose of filing of the O.A. is satisfied. Learned advocate has further submitted that the applicant is going to approach the respondent/competent authority for granting admissible leave for the absentee period. He has submitted that in these circumstances the O.A. may be disposed of with liberty to the applicant to approach to the respondent competent authority seeking admissible leave for the absentee period.

4. The applicant has prayed for declaration, that her absentee period from 07.09.2013 to 10.03.2016 may be treated as

compulsory waiting period. Her representation dated 17.06.2017 is pending before the respondents when she filed the present O.A. During the pendency of the O.A., the said representation was considered by the respondents and the respondents had taken decision and rejected her representation. The applicant has to approach the respondent/competent authority for grant of admissible leave for absentee period.

5. In view of this, in my opinion it is just to disposed of the O.A. with liberty to the applicant to approach the respondents/competent authority claiming admissible leave for the absentee period.

6. Accordingly, the O.A. is disposed of with a liberty to the applicant to move an application to the competent authority to grant admissible leave for absentee period. No order as to costs.

Sd/-
(B.P. PATIL)
MEMBER (J)

Date : 01.11.2017

Place : Mumbai

Dictation taken by : VSM

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