

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

ORIGINAL APPLICATION NO.676 OF 2017

DISTRICT : THANE

Shri Ujjwal Shahaji Takbhate)
Post-Shripat-Pimpri, Tal.-Barshi,)
Dist. Solapur, Pin. 413401.).....**Applicant**

VERSUS

1. State of Maharashtra, through)
Secretary, Home Dept., Mantralaya,)
Mumbai – 400 032.)
2. The Commissioner of Police,)
Navi Mumbai, CBD Belapur,)
Sector 10, Navi Mumbai 400614.)
3. The District Collector, Thane.).....**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 : 08.11.2017

ORDER

1. The Original Application is heard by consent.

2. Heard Shri C.T. Chadratre, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

3. The applicant has prayed to quash the proceedings of the meeting of the Committee held on 04.09.2015 under the Chairmanship of the Respondent No.3 and issued a Circular dated 26.08.2014 as illegal by filing the present O.A.

4. Learned P.O. has submitted that during the pendency of the O.A. a new Committee has been constituted by the Government in view of the G.R. dated 19.7.2017 and the matter of the applicant has placed before the Committee for review of the earlier decision taken in the meeting held by earlier committee on 04.09.2015. He has submitted that the newly constituted Committee constituted as per the G.R. dated 19.7.2017 took decision in the matter of the applicant on 10.08.2017 and resolved not to recommend the name of the applicant for appointment. He has further submitted that the decision of the said Committee is appealable in view of the clause (4) of the G.R. dated 19.7.2017 and the Hon'ble Minister for State, Home Dept. (City) is the Competent Appellate Authority to hear the appeal. He has submitted that the applicant has challenged the decision of the committee dated 10.08.2017 before the Hon'ble Minister for State, Home Dept. (City) by preferring an appeal on 12.9.2017. He has submitted that the appeal has been heard by the Hon'ble Minister for State, Home Dept. (City) and now, the same is pending with the Hon'ble Minister and, therefore, he prayed to grant time to decide the appeal on merit.

5. Learned Advocate for the applicant has admitted the fact that the new Committee constituted as per G.R. dated 19.07.2017 has taken decision in the matter of the applicant on 10.08.2017. He has further submitted that the applicant has challenged the said decision by preferring the appeal before Minister for State, Home Dept. and the same is pending. He has no objection to grant reasonable time to respondents to decide the appeal of the applicant. He prayed to dispose of the O.A. with the said direction to the Respondents.

6. Considering the above said facts, nothing survives in the Original Application. Therefore, it is just to dispose of the O.A. with a direction to respondent no.1 to decide the appeal of the applicant pending before it within six weeks from the date of order and communicate its decision to the applicant accordingly.

7. Hence, the Original Application is disposed of with a direction to the respondent No.1 to decide the appeal filed by the applicant within six weeks from the date of order and communicate its decision to the applicant within one week thereafter.

Sd/-
(B.P. PATIL)
MEMBER (J)
08.11.2017

Date : 08.11.2017

Place : Mumbai

Dictation taken by : VSM

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