

WRIT PETITION (st) NO. 22629 OF 2016

V/s.

Mr. A. Vagyani, GP for the petitioners.
Mrs. Vaishali Jagdale for respondent.

6th September, 2016.

P.C.

The petitioner-State has approached this Court against order of Tribunal awarding cost of Rs.10,000/- to be paid by respondent no.1 by judgment and order dated 1st July, 2016 passed by Maharashtra Administrative Tribunal in Original Application No. 783/2014. Respondent no.1 before the Tribunal is the Secretary, Industries, Energy and Labour Department, Mantralaya, Mumbai. The Government Pleader Mr. Vagyani for the petitioners-State submits that there was no need for Tribunal to award cost of Rs.10,000/-. Before retirement respondent herein filed an

application seeking exemption which was granted but the office of Accountant General raised objection thereafter. Due to that objection, petitioner was denied the benefit of exemption.

2. Learned Government Pleader further submits that cost is paid by the State. Counsel appearing for respondent submits that petitioner had to unnecessarily approach the Tribunal and fight litigation against the State.

3. We have perused the order passed by the Tribunal. The cost is awarded against the State. In the facts there was no need to file this petition. Learned Counsel appearing for respondent submitted that the State has not complied with the Tribunal order in its entirety. Learned Government Pleader submitted that reserving their rights, amount of Rs.10,000/- was promptly deposited by the State with the Tribunal. In the facts no interference is warranted. The petition is dismissed.

(PRAKASH D. NAIK, J.)

(NARESH H. PATIL, J.)