

Regarding procedure to be followed
by the officers exercising powers
as an appellate revision authority

GOVERNMENT OF MAHARASHTRA

Law & Judiciary Department
Government Circular No:1847/M, dated 18th July, 2003.
Mantralaya, Mumbai, 400032.

C I R C U L A R

Some officers of the Government of Maharashtra are invested with judicial or quasi-judicial powers and while exercising those powers as an Appellate Authority constituted under relevant Act Rules for the purpose of disposing matters before them, on some occasion due to urgency or otherwise they have to give hearing to either party at their residence and pass order in the proceedings of appeal/ revision pending before them.

In Writ Petition No. 1179 of 2003 the Hon'ble Court, Mumbai, vide order dated 24.6.2003 has given certain guidelines with regard to the procedure to be followed while entertaining and deciding the matters before them. The Hon'ble High Court observed that "if on account of urgency a matter is presented at the residence as well as beyond the precincts of the Office of the appellate authority, then the fact of such presentation and hearing, if any, granted on such presentation to either parties, or order, if any, passed on such presentation of the appeal or revision before such authority are required to be recorded in the file of such proceedings at the time of registration of the same in the office of the concerned authority.

In view of the above, all the Officers dealing with the work of registration of appeal/revision, are hereby directed to follow the aforesaid procedure strictly at the time of registration of an appeal/revision and to keep the proceedings up to date by recording all the events regarding hearing and orders passed at the residence as well as beyond the precincts of the office of the appellate authority. Any discrepancy noted in this regard will be viewed seriously.

Sd/-

(Ajit Nimbalkar)

Chief Secretary to Government.

Cop to:

1. P.A. to Additional Chief Secretary,
2. All Principal Secretaries/Secretaries,
3. The Registrar, High court of Judicature at Mumbai,
4. The Advocate General (M.S.) Mumbai,
5. All Department in Mantralaya,
6. all Divisional commissioners in Maharashtra,
7. All District Collectors in Maharashtra,
8. The Government Pleader, High Court, Mumbai/Nagpur/Aurangabad
9. The Chief Presenting Officer, M.A.T. Mumbai/Nagpur/Aurangabad
10. All Chief Executive Officers, Zilla Parishad.