

IN

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>NOTE: 2/3/16</p> <p>CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member) J</p> <p>APPEARANCE: Shri. A.V. Bandiwadkar (sgj) Advocate for the Applicant Shri. N. C. Gohad C.A.O./P.O. for the Respondents certificate arrangement filed. Ad. to S.O. to 23/3/16.</p> <p style="text-align: right;"><i>FH</i></p>	<p><u>O.A. No.963 of 2014</u></p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At this stage it is neither necessary nor it is expedient to make any detailed observations. However, it would suffice to mention that a candidate who apparently made it from NT(B) category to the post herein involved having secured 2 marks more than the applicant is one Mrs. Urmila Shantaram Puri. Some allegations are made against her. in respect of the testimonials about her qualification by the applicant. She has however not been impleaded as party and that being the state of affairs we direct that the said Mrs. Urmila Shantaram Puri be impleaded as party respondent no.2 by amendment to be effected within three weeks from today and accordingly consequential amendment, if any. Newly added respondent be served according to the rules. S.O. to 23.3.2016.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(R.B. Malik) Member (J) 2.3.2016</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Rajiv Agarwal) Vice-Chairman 2.3.2016</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

O.A. No.211 of 2014

Heard Shri Sidheshwar Biradar, learned Advocate holding for Shri R.K. Adsure, learned Advocate for the Applicants, Shri K.B. Bhise, learned Presenting Officer for Respondents No.1 to 6 and Shri G.V. Bandiwadekar, learned Advocate for Respondents No.7 to 11. Other respondents absent.

2. Before we proceed in the matter some preliminary issues which have come to our notice needs to be clarified:

i) Whether the 4 Associations which have presently filed this OA are recognised by the GAD of the Government of Maharashtra under Rule 29 of the MCS (Conduct) Rules, 1979?

ii) Whether under Rule 5(b) of the MAT (Procedure) Rules, 1988 an association by itself is eligible to maintain an OA without joining as co-applicant along with the persons directly affected by any order which is sought to be challenged in the OA?

3. Ld. PO states that he will file affidavit on these issues on behalf of respondent no.4. Shri Bandiwadekar, Ld. Advocate may also file affidavit clarifying his position. Needless to say the applicant to make his point regarding these issues. S.O. to 30.3.2016. Hamdast.

Sd/-

Sd/-

(R.B. Malik)
Member (J)
2.3.2016

(Rajiv Agarwal)
Vice-Chairman
2.3.2016

(sgj)

DATE: 2/3/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri Sidheshwar Biradar
holding for R.K. Adsure
Advocate for the Applicant

Shri K.B. Bhise

PO for the Respondents No.1 to 6.

G.V. Bandiwadekar

Adv. for other respondents.

absent.

S.O. to 30/3/16.

Hamdast.

FH
Qad

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>2/3/16</u> <u>D/B</u></p> <p>CHAIRMAN: Hon'ble Shri. <u>R.B. Malik</u> (Chairman) Hon'ble Shri. <u>R.B. Malik</u> (Member-A]</p> <p>APPEARANCE: Shri/S. <u>G.A. Bandiwadkar</u> Advocate for the Applicant/s Shri/S. <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>9/3/16</u></p> <p><i>[Signature]</i></p>	<p>Date : 02.03.2016.</p> <p>O.A.No.189 of 2016 (D.B.)</p> <p>1. Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ms. N.G. Gohad, learned P.O. seeks adjournment to file affidavit-in-reply.</p> <p>3. The Applicants have been insisting for interim relief. My order of 18.02.2016 and 29.02.2016 may be perused. The O.A. is now set down done for hearing on the issue of interim relief making it clear, that if on that day just before hearing commences the affidavit-in-reply is filed it will be taken on record, but there will be no adjournment for the same.</p> <p>4. Adjourned for consideration of interim relief on 09.03.2016.</p> <p>Sd/- <u>[Signature]</u> (R.B. Malik) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrur's orders	Tribunal's orders
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Date : 02.03.2016.

O.A.No.793 of 2015 (D.B.)

1. Heard Shri A. Deokhile, learned Advocate holding for Shri A. Desai, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. Ms. N.G. Gohad, learned P.O. seeks further time to file affidavit-in-sur-rejoinder.

3. Sufficient time has been given already. O.A. is admitted. Liberty to mention is granted.

4. Sur-rejoinder, if any, must be filed on the first date it appears before the Bench and not there afterwards.

5. Ad-interim relief, if any, to continue till next date.

Sd/-
(R.B. Malik)
Member(J)

DATE: 2/3/16 D/B
CORAM:
Hon'ble ~~.....~~ (Chairman)
Hon'ble R.B. Malik (Member) A J
APPEARANCE:
Shri A. Deokhile holding for
A. Desai
Advocate for the Applicant
Shri N.G. Gohad
C.P.O./P.O. for the Respondent/s
Admit. PR to continue
Adj. To Liberty to mention is granted
BYE

DATE: 2/3/16
CORAM:
Hon'ble ~~.....~~ (Chairman)
Hon'ble A. Deokhile (Member) A J
APPEARANCE:
Shri/Smt.
Advocate for the Applicant
Shri/Smt.
C.P.O./P.O. for the Respondent/s
Adj. To.....

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

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..... Respondent/s

(Presenting Officer.....)

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Date : 02.03.2016.

O.A.No.489 of 2014 (D.B.)

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. Ms. N.G. Gohad, learned P.O. tendered affidavit-in-reply.
3. See my order of 27.01.2016. The reply having been filed, O.A. is admitted formerly also and is appointed for hearing before the appropriate Bench on 22.03.2016.

DATE: 2/3/16 DB

CORAM:

Hon'ble Justice [Signature] Joshi (Chairman)

Hon'ble Shri R.B. Malik (Member-A)

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. N.G. Gohad

C.P.O./P.O. for the Respondent/s

Adj. To. 22/3/16

Sd/- [Signature]

**(R.B. Malik)
Member(J)**

prk

[Signature]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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Date : 02.03.2016.

M.A.No.434 of 2015 in O.A.St.No.710 of 2015

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents prays for two week time for filing reply. Reply to M.A. and O.A. both are to be filed.
3. Though two weeks time is prayed, longer time is granted in order that no further adjournments would be necessary or granted.
4. S.O. to 30.03.2016.

DATE: 2/3/16 D/B

CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Justice M. Ramachandran (Member) A

APPEARANCES:
Shri C.T. Chandratre

Advocate for the Applicant,
Shri K.B. Bhise
C.P.O./P.O. for the Respondent/s

Adj. To 30/3/2016

Sd/-
(A.H. Joshi, J.) shn
Chairman

sba

B/K

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

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Date : 02.03.2016.

M.A.No.104 of 2016 in C.A.No.16 of 2016 in O.A.No.78 of 2014 (A'bad) (M.A.419 of 2015 in C.P.St.1572 of 2015) with M.A.No.105 of 2016 in O.A.No.78 of 2014 (A'bad)

1. Heard Shri M.D. Gite, the learned Advocate holding for Shri V.B. Wagh, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Present application is transferred to Mumbai by virtue of order passed on 12.02.2016.

3. Record shows that the Respondent No.1 Shri Rajesh Kumar, Principal Secretary, Water Supply and Sanitation Department has filed affidavit and has come up with schedule of dates required for completing various stages in order to comply with the order passed in O.A.No.78 of 2014 (of Aurangabad).

4. In the affidavit which is dated 24.02.2016 it is averred that in all 5 months and 15 days time is imperative for completing various stages. Therefore in the interest of justice it shall be proper to place the case on board, periodically, for monitoring the compliance.

5. The Respondent No. 1 ~~shall~~ ^{is directed to} file affidavit after completing various stages on each date hereinafter.

6. Therefore for the present for reporting compliance which may be done till stage no.3 given in paragraph no.4 of the affidavit, hearing is adjourned to 3.05.2016.

7. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

Sd/-

(A.H. Joshi, J.)
Chairman

DATE: 2/3/16 DIB

CORAM:

Hon'ble Mr. A. H. Joshi (Chairman)
Hon'ble Mr. R. S. Patil (Member) A

APPEARANCE:

Shri M.D. Gite holding for V.B. Wagh

Ms. N.G. Gohad

Adj. To: 3/5/2016

[Handwritten signature]

Date : 02.03.2016.

O.A.No.171 of 2016

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. It is seen that notice of the O.A. was ordered on 22.7.2015 and it was not made returnable on 28.7.2015.
3. It is seen that notice is served only on 27.7.2015. This is not adequate notice hence fresh issue notice is returnable on 25.04.2016.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorised and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced alongwith affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.
8. It has transpired is that Applicant is simply communicated the refusal. The copy of minutes or reasons leading to refusal are not delivered to the Applicant.

9. Respondent No.1 is ~~expected~~^{directed} to deliver to the Applicant the copy of reasons due to which Applicant's candidature for appointment was declined. The copy of reasons/minutes as recorded should be served within six weeks from today.

10. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

11. S.O. to 25.4.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate

versus

The State of Maharashtra and others

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	<p>Date : 02.03.2016.</p> <p>O.A.No.223/2016 with O.A.No.224/2016 with O.A.No.225/2016 (D.B.)</p> <p>1. Heard Shri V. Parmar, learned Advocate for the Applicants in these three Original Applications and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants are degree holders in the relevant Branch of Engineer^{ing} and they apparently are having some road block in the matter of appearing for the interview ^{for} of the post of Junior Engineer Civil, Group-D for which the qualifications prescribed is diploma.</p> <p>3. Shri V. Parmar, learned Advocate submits that the Applicants be, by an interim order allowed at least to appear for the interview.</p> <p>4. Ms. N.G. Gohad, learned P.O. objects to any relief being granted.</p> <p>5. On exactly the same set of facts and going by the submission of learned P.O. relating to the same advertisement in O.A.No.203 of 2016 by what I consider to be elaborated order, interim relief was not granted. Therefore, as of today no interim relief.</p> <p>6. Issue notice returnable on 17.03.2016.</p>

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<p>DATE: <u>2/3/16</u> <u>D/B</u></p> <p>CORAM:</p> <p>Hon. Justice <u>R.B. Malik</u> (Chairman)</p> <p>Hon. Justice <u>R.B. Malik</u> (Member) <u>A J</u></p> <p>APPEARANCE:</p> <p>Shri <u>V. Parmar</u></p> <p>Shri <u>N. S. Fotedar</u></p> <p>C.P.O. <u>R.D.</u> for the Respondent/s</p> <p>Adj. To. <u>17/3/16</u></p> <p><u>B.T.</u></p>	<p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicant are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.</p> <p>11. Adjourned to 17.03.2016.</p> <p style="text-align: right;">Sd/- <u>(R.B. Malik)</u> Member(J)</p> <p style="text-align: right;"><u>u.c.</u> <u>3-16</u></p> <p>prk</p>