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

**Date : 02.09.2016.**

**O.A.No.567 of 2016**

**P.B. Dandekar** **.... Applicant.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Shri R.S. Kavle, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri K.B. Bhise for the Respondents states as follows :-

(a) Learned P.O. has received the affidavit duly affirmed by Respondents No.2 and 3.

(b) Upon perusal of the affidavit it is found that the stand taken by Respondents No.2 and 3 contradicts each other.

(c) It is necessary to bring the contradictions to the notice of both the Departments and taken appropriate plea.

(d) Therefore, he wants to write a letter to the Respondents No.2 to 4 and request to come up with a duly resolved plea.

(e) Four weeks time is required for this exercise.

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

4. In view of the request of learned P.O., adjourned to 21.10.2016.

Sd/-

**(A.H. Joshi, J.)**
**Chairman**

prk

DATE : 02/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member) A~~
APPEARANCE :
Shri/Smt. R. S. Kavle
Advocate for the Applicant
Shri/Smt. K. B. Bhise
C.P.O / P.O. for the Respondent/s
Adj. To 21/10/2016
Steno copy and Hamdast allowed

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

O.A. No.677 of 2016

Shri N.S. Parbhane ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Miss S.P. Manchekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO states that some more time is required for filing affidavit in reply.

3. Miss Manchekar, Ld. Advocate apologizes for failure to collect and serve notice on the respondents. She prays that date be extended upto 26.10.2016.

4. If notices are not collected within 10 days from today, the OA shall stand dismissed and stay shall stand vacated without further reference to the Tribunal.

5. S.O. to 26.10.2016.

Sd/-

(A.H. Joshi, J.)

Chairman

2.9.2016

(sgj)

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesakumar (Member) A~~

APPEARANCE :

Shri/Smt. : Ms. S.P. Manchekar

Advocate for the Applicant

Shri /Smt. : K.S. Gaikwad

CPO / P.O. for the Respondent/s

Adj. To 26/10/2016

(R)

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

~~C.A. No.25 of 2015 in O.A. No.558 of 2013~~

Shri S.T. Marakwad ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Shri Lonkar, Ld. Advocate states that the applicant has received information from the respondents that within two months time entire order will be complied with.

3. In view of this information given by the Ld. Advocate for the applicant, hearing is adjourned to 8.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
2.9.2016

(sgj)

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesh Kumar (Member)~~ A

APPEARANCE :

~~Shri/Smt.~~ : M.D. Lonkar

Advocate for the Applicant

~~Shri/Smt.~~ : N.K. Rajpurohit

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

Adj. To 8/11/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

O.A. No.733 of 2016

Shri R.R. Bhosale ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Shri Jagdale, Ld. Advocate states that he would like to amend and substitute para 7.8 and prays for two weeks time.

3. Time granted.

4. S.O. to 14.9.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
2.9.2016

(sgj)

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesh Kumar (Member) A~~

APPEARANCE :

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To 14/9/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

O.A. No.845 of 2016

Shri S.S. Dalvi ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. To be listed with OA No.870 of 2016 on 27.9.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
2.9.2016

(sgj)

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble ~~Shri M. Rameshkumar~~ (Member) A

APPEARANCE :

Shri/Smt. : M. D. Lonkar

Advocate for the Applicant

Shri /Smt. : K. B. Bhise

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

Adj. To 27/9/2016

with (OA. 870/2016)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

# 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 |
|---|---|

O.A. No.938 of 2015

Shri P.R. Jagdale & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

None for the Applicants. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO states that most probably because of the strike of the Government servants no one from the Government has come to give instructions.

3. S.O. to 14.10.2016.

Sd/-
(A.H. Joshi, J)
Chairman
2.9.2016

(sgj)

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramakrishnan~~ (Member) A

APPEARANCE :

~~Shri/Smt.~~ : None for the Applicant

Advocate for the Applicant

~~Shri~~ /Smt. Archana B.K

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

Adj. To... 14/10/2016

P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|
| | **Date : 02.09.2016.**<br><br>**O.A.No.764 of 2016**<br><br>**C.S. Kamble** .... **Applicant.**<br><br>**Versus**<br><br>**The State of Maharashtra & Ors.** ....**Respondents.**<br><br>1. Heard Shri P.D. Purway, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.<br><br>2. In view that Applicant has failed to serve the Respondents with notice of the Tribunal, returnable date is extended to 05.10.2016.<br><br>3. Adjourned to 05.10.2016.<br><br>Sd/-<br>**(A.H. Joshi, J.)**<br>**Chairman**<br><br>prk |

DATE : 02/9/2016.
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramesh Kumar (Member) A
APPEARANCE :
Shri/Smt. : P. D. Purway
Advocate for the Applicant
Shri /Smt. : Ms. S. Suryawanshi
C.P.O / P.O. for the Respondents
Adj. To 05/10/2016

| Office Notes, Office Memorandu of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|

**Date : 02.09.2016.**

**M.A.No.344 of 2016 in O.A.No.225 of 2012 (Aurangabad)**

**E.M. Kongalwad** .... **Applicant.**

**Versus**

**The State of Maharashtra & Ors.** ....**Respondents.**

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. This is an application for transfer of O.A. from Aurangabad Bench to Principal Seat at Mumbai. O.A. is of the year 2012.

3. In view that the Division Bench is not available at M.A.T. Aurangabad Bench, O.A. can be transferred to Principal Seat at Mumbai.

4. Hence, in view of the foregoing following order is passed :-

(a) O.A.No.225/2012 is transferred to Principal Seat at Mumbai for hearing and disposal according to law.

(b) Applicant should apply and collect the original papers by hand delivery and to deposit the same within 15 days.

(c) Applicant shall serve intimation of transfer in the office of C.P.O. and all Respondents.

(d) Furnish additional sets and paper book to the Respondents.

(e) No notice of transfer would be issued to the Applicant.

5. M.A. is accordingly allowed.

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

prk

DATE : 2/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar~~ (Member) A
APPEARANCE :
Shri/Smt. : M.D. Lonkar
Advocate for the Applicant
Shri /Smt. : A.J. Chougule
C.P.O / P.O. for the Respondents
Adj. To M.A. is accordingly allowed

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

# 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 |
|---|---|

**Date : 02.09.2016.**

**C.A.No.71 of 2016 in O.A.No.1067 of 2015**

**Dr. A.K. Chikhale .... Applicant.**

**Versus**

**The State of Maharashtra & Ors. ....Respondents.**

1. Heard Shri A. Jain, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Shri A. Jain for the Applicant states as follows :-

(a) Learned Advocate would like to issue personal notices to the Contemnors and after giving them reasonable time file fresh application for action for contempt will be filed.

(b) He therefore prays for liberty to withdraw this application with liberty to sought fresh Contempt Application.

3. In view of the foregoing, the present C.A. is disposed of with liberty file afresh.

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

prk

DATE : 2/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramakrishnan (Member) A

APPEARANCE :
Shri/Smt. : A. Jain
Advocate for the Applicant
Shri /Smt. : N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

C.A. disposed

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|
| | **Date : 02.09.2016.**<br><br>**O.A.No.373 of 2016**<br><br>**S.B. Pawar** .... **Applicant.**<br><br>**Versus**<br><br>**The State of Maharashtra & Ors.** ....**Respondents.**<br><br>1. Heard Shri R.S. Kavle, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.<br><br>2. Learned Advocate Shri R.S. Kavle for the Applicant apologizes for failure to collect Tribunal's notice.<br><br>3. Returnable date is extended to 24.10.2016.<br><br>4. S.O. to 24.10.2016.<br><br>Sd/-<br>**(A.H. Joshi, J.)**<br>**Chairman**<br><br>prk |

DATE : 2/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/Smt. : R. S. Kavle
Advocate for the Applicant
Shri/Smt. : K. S. Gaikwad
C.P.O / P.O. for the Respondent/s
Adj. To 24/10/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

**Date : 02.09.2016.**

**C.A.No.68 of 2016 in O.A.No.845 of 2015**

**P.S. Thorat** **.... Applicant.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Shri V.S. Deokar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri V.S. Deokar for the Applicant states as follows :-

(a) Learned Advocate would like to issue personal notices to the Contemnors and after giving them reasonable time file fresh application for action for contempt will be filed.

(b) He therefore prays for liberty to withdraw this application with liberty to sought fresh Contempt Application.

3. In view of the foregoing, the present C.A. is disposed of with liberty file afresh.

Sd/-

~~(A.H. Joshi, J.)~~ V

Chairman

prk

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesh Kumar (Member) A~~

APPEARANCE :

Shri/Smt. : V. S. Deokar

Advocate for the Applicant

~~Shri~~ /Smt. : K.S. Gaikwad

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

Adj. To C.A. disposed

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

**Date : 02.09.2016.**

**O.A.No.103 of 2016**

**M.S. Pawar** **.... Applicant.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-

(a) Reply is ready and copy is already served on the learned Advocate Shri M.D. Lonkar.

(b) The same would be filed within one week from today.

3. S.O. to 08.11.2016.

Sd/-

**(A.H. Joshi, J)**
**Chairman**

prk

DATE : 2/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE :

Shri/Smt. : M.D. Lonkar

Advocate for the Applicant

Shri /Smt. : K.S. Gaikwad

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

Adj. To 8/11/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

**Date : 02.09.2016.**

**O.A.No.846 of 2016**

**S.P. Patki** **.... Applicant.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Shri A. Jain, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri A. Jain for the Applicant states as follows :-

In view of the subsequent developments, he has instructions to withdraw this application.

3. In view of the foregoing O.A. is disposed as withdrawn.

Sd/-

**(A.H. Joshi, J)**
**Chairman**

prk

DATE : 02/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesekumar (Member)~~ A

APPEARANCE :
~~Shri/Smt.~~ : A. Jain
Advocate for the Applicant
Shri /~~Smt.~~ : K. B. Bhise
~~C.P.O~~ / P.O. for the Respondent/s

Adj. To OA disposed as withdrawn.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)



# 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 |
|---|---|

**Date : 02.09.2016.**

**O.A.No.880 of 2016**

**M.M. Surve** **.... Applicant.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Learned Advocate Ms. S.P. Manchekar prays for leave to amend.

3. Leave as prayed for is granted. Amendment be carried out forthwith.

4. In view that Applicant has failed to serve the Respondents notices of the Tribunal, fresh notice be issued to all the Respondents. To come up on board on due date i.e. on 26.09.2016.

Sd/-

**(A.H. Joshi, J)**
**Chairman**

Amendment carried as per Hon'ble Court dt 2.9.2016

prk
2.9.16

[P.T.O.

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

**Date : 02.09.2016.**

**O.A.No.363 of 2016 to O.A.No.377 of 2016**

**T.T. Bankar (O.A.363/2016)**
**E.W. Bagul (O.A.364/2016)**
**M.R. Davne (O.A.365/2016)**
**P.P. Kolabkar (O.A.366/2016)**
**J.R. Gawde (O.A.367/2016)**
**A.D. Bilaye (O.A.368/2016)**
**P.R. Jadhav (O.A.369/2016)**
**S.P. Pednekar (O.A.370/2016)**
**Y.K. Tandel (O.A.371/2016)**
**A.P. Kalav (O.A.372/2016)**
**V.P. Argekar (O.A.373/2016)**
**P.S. Rane (O.A.374/2016)**
**P.M. Dhotre (O.A.375/2016)**
**R.R. Nagvekar (O.A.376/2016)** **.... Applicants.**

**Versus**

**The State of Maharashtra & Ors.** **....Respondents.**

1. Heard Shri R.S. Kavle, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri R.S. Kavle for the Applicant apologizes for failure to collect Tribunal's notice.

3. Returnable date is extended to 24.10.2016.

4. S.O. to 24.10.2016.

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

prk

DATE : 02/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE :
Shri/Smt. : R.S. Kavle
Advocate for the Applicant
Shri /Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 24/10/2016

5

(G.C.P.) J 2260 (A) (50,000--2-2015) [Spl.- MAT-F-2 E.

# 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 |
|---|---|

**02.09.2016**

**O.A Nos 975, 976, 977, 978 & 979/2015**

Shri C.S Didbhai & others ... Applicants
Vs.
The State of Maharashtra & Ors... Respondents

Heard Ms S.P. Manchekar, learned advocate for the applicants and Ms Neelima Gohad, learned Presenting Officer for the Respondents.

Affidavit in reply has been filed. Learned Advocate Ms Manchekar states that she does not wish to file rejoinder.

O.As are admitted. Place for final hearing on 23.9.2016.

DATE: 2/9/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ Ms. S.P. Manchekar
Advocate for the Applicant
~~Shri/Smt.~~ Ms. N.G. Gohad
~~C.P.O./P.O.~~ for the Respondents

~~Adj to~~ O.As. are admitted.
S.O. to 23/9/16.

FH

Akn

Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**ORIGINAL APPLICATION NO.870 OF 2016**

**Shri Sudhir S. Dalvi** ..Applicant

**Versus**

**The State of Maharashtra & Ors.** ..Respondents

Shri M.D. Lonkar – Advocate for the Applicant.

Shri N.K. Rajpurohit – Chief Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 2nd September, 2016

**ORDER**

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. was called to state as to what are the papers are received by him.

3. Learned C.P.O. states that the file in which the applicant's suspension was processed is received.

4. Perusal of the file reveals that the text of the note contains the version that the applicant had failed to join duty on transferred post and has engaged himself in making applications repeatedly.

5. The file which is produced by the Ld. PO reveals that various representations submitted by the applicant to the Director General of Police were not attended to and examined by the officer who had initiated the note for transfer, though it contains an acknowledgement of such representations. This acknowledgment is evident from the language employed in the note suggesting

that at one hand applicant has failed to report on the place of posting and had engaged himself in making applications/representations repeatedly.

6. The applicant has furnished copies of three representations dated 18.02.2016 (at page 43 and 45), 31.03.2016 (at page 46) and 28.06.2016 (at page 47). It is seen from these representations that the applicant has requested, by incorporating grounds and reasons, that his transfer / posting to Nagpur may be cancelled.

7. It is seen from the file submitted by the learned C.P.O. in which note was put up, thereby proposing suspension was approved by the Additional Director General of Police (Administration), Mumbai. The papers contained in the file do not show that representations submitted by the applicant were accompanied to the note. Due to absence of the representations submitted by applicant in the file, the competent authority had no occasion to consider those.

8. It is also seen that after passing the suspension order and before filing of this OA, the applicant has furnished another representation dated 16.8.2016 which is at Exhibit 'K' page 62 of the paper book. Even this representation may not have been brought to the notice of the Respondent the competent authority, the Additional Director General of Police (Administration).

9. Learned C.P.O. was asked to furnish the name of the concerned officer i.e. Additional Director General of Police (Administration).

10. Learned C.P.O. has furnished the following name :-

Dr. Pradnya Saravade, Additional Director General of Police (Administration), Maharashtra State, Mumbai.

11. Dr. Pradnya Saravade, Additional Director General of Police (Administration), Maharashtra State, Mumbai is directed as follows :-

(a) To peruse all representations submitted by the applicant.

(b) Enquire as to reasons due to which representations furnished by the applicant were not put up along with the note proposing the suspension.

(c) Examine as to whether there existed any legal bar against consideration of representations.

(d) To peruse the OA in full and annexures thereto and ascertain from record as to whether applicant was selected for transfer at Nagpur basing the decision on the belief/foundation that applicant is due for retirement on 29.2.2024.

12. Dr. Pradnya Saravade, Additional Director General of Police (Administration) shall then file affidavit on following points :-

(a) Whether now she has perused the representation referred to in the office note dated 1.8.2016 and all other representations submitted by the applicant.

(b) State as to whether she or competent authority would like to reconsider the decision to suspend the applicant after re-examination of the matter.

13. If the impugned orders are withdrawn/modified etc. filing of affidavit shall not be necessary.

14. S.O. to 27.09.2016.

15. Steno copy and hamdast is allowed. Learned C.P.O. is directed to communicate this order to the respondents.

(A.H. Joshi, J.)
**Chairman**
**2.9.2016**

Dictation taken by: S.G. Jawalkar.
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