ORIGINAL APPLICATION NO.67 OF 2018

DISTRICT: MUMBAI

Shri	Datta Mahadev Shelke.)				
Seni	Senior Clerk. Irrigation Project. Construction Division,)					
	arbav. Ratnagiri. P/at Room No.6, Building No.8					
	ation Colony, Kuwarbay, Ratnagiri)Applicant				
	Versus					
1.	The State of Maharashtra,)				
	Through the Chief Engineer,)				
	Konkan Irrigation Region, Hong Kong Building,)				
	Hutatma Chowk Fort. Mumbai)				
2.	The Superintending Engineer,)				
	Ratnagiri Irrigation Circle, Kuwarbav, Ratnagiri)				
3.	The Executive Engineer, Sindhudurg,)				
	Irrigation Project Construction Division,)				
	Charate. Sawant vadi, Sindhudurg)				
	formerly known as Tilari, Head Work Division)				
	No.1. Konalkatta ^{\(\)})				
¹ .	The Executive Engineer,)				
	Irrigation Project Construction Division,)				
	Kuwarbay. Ratnagiri)Respondents				

Shri D.B. Khaire - Advocate for the Applicant
Shri K.B. Bhise - Presenting Officer for the Respondents

CORAM

Shri P.N. Dixit, Member (A)

DATE

2nd August, 2018

NOTES

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

Facts of the case:

- 2. The Applicant joined as Senior Clerk on 19.4.2010 in the office of Respondent No.3. A DE was initiated against the Applicant and the disciplinary authority imposed punishment of stoppage of three increments with permanent effect.
- 3. By the present OA, the Applicant is praying to quash and set aside orders dated 11.7.2017, 16.1.2015 and 30.6.2015 by which 3 increments of the Applicant have been permanently withheld and also sought to recover the interest amount from the salary of the Applicant.
- 4. The applicant has made the following prayers:
 - (a) This Hon'ble Tribunal be pleased to quash and set aside the impuaned order of recovery of penal interest from the salary of the Applicant, dated 11.7.2017 (Exhibit A-1) issued by the Respondent no.4 and thus, the applicant be paid the full salary without deducting the installments of penal interest with all consequential benefits.

- (b) This Hon'ble Tribunal be pleased to quash and set aside the impugned order of recovery of interest from the salary of the Applicant dated 30.6.2015 (Exhibit A-3) issued by Respondent No.3 and thus, the applicant be paid the full salary without deducting the installments of penal interest with all consequential benefits.
- (c) This Hon'b'e Tribunal be pleased to quash and set aside the impuaned order of withholding of three increments permanently (Exhibit A-2) issued by Respondent no.2 and thus the Respondent no.2 be directed to review the order of punishment and thereby suitably reduce and modify the punishment and thereafter the applicant be paid the consequential service benefits."

(Quoted from page 12-13 of OA)

- 5. The Executive Engineer has informed the Applicant vide letter dated 30.06.2015, page 21 at paragraph 2 & 3 as under:-
 - "२ तथापि या विभागाच्या मे. रोडी डबीर आणि कंपनी यांचेमार्फत झालेल्श्स अंतर्गत लेखापरीक्षा अहवालामध्ये शासकीय रकमेच्या अपहाराबाबत व या अनियमिततेबाबत जबाबदार असलेल्या संबंधितांकडन दंडनीय दग्याने व्याजाने जबाबदारी निश्चित करावी व वसुलीबाबत कार्यवाही करावी अशा सचना दिलेल्या असन महामंडळ कार्यालयाच्या संदर्भिय पत्रान्वये तात्काळ पूर्तता काणेबाबत या विभागास सचना दिलेल्या आहेत.
 - है. १५.०९.२०११ ते २८.११.२०१३ या कालावधीमधील रु.२०,२३,७७०/- रकमेवरील १८ टक्के इतक्या दंहनीय त्यांने रु.४,३२,९२१/- इतकी व्यांनाची रक्कम होत असून ती संबंधिताकडून कशाप्रकारे वसल करावी याबाबत सविस्तर आदेश मिळणेबाबत मंडळ कार्यालयास तसेच महामंडळ कार्यालयास कळविण्यात आलेले होते. तथाति मंडळ कार्यालयाकडूळ अद्याप याबाबत आदेश प्राप्त झाले नमल्याने आपण वरील निघेनण प्रत्येकी १/३ रक्कम म्हणने रु.१,४४,३०७/- (प्रत्येकी) व्यांनाची रक्कम या कार्यालयात दि.३१.०७.२०१५ पूर्वी भरणा करावी ही विनंती. दिलेल्या विहीत मुदतीत रक्कम भरणा न केलेस सदर रक्कम मानिक वेतनातून/निवृ-ती वेतनातून वसूल करणेबाबत प्रस्तावित करणेत येईल याची कपया नींद घेण्यात स्वांवी

(Quoted from page 21 of OA)

- 6. Learned Advocate for the Applicant contends in paragraph 7(2), 7(3) and 7(4) of the OA as under:-
 - "2. The disciplinary authority did not impose the punishment of recovery of interest from the salary of the Applicant. Therefore the action of Respondent Nos.3 and 4 is per se illegal. The applicant further submits that the punishment imposed upon the applicant was permanently withholding three increments. Therefore, the Respondent Nos 3 and 4 have not authority to amend or modify and add to the punishment already imposed by the disciplinary authority.
 - 3. The applicant has been subjected to Doubled jeopardy. The applicant is already undergoing a punishment after holding the enauiry by the competent authority on the charge of misappropriation of funds. Thus, by way of punishment three increments of the applicant have been permanently withheld. Therefore, the recovery of interest on the misappropriated funds amounts to second penalty based on the same cause of action and the charges. Thus, when the applicant was already awarded a punishment no further punishment of recovery of interest can be awarded against the applicant. Thus, such action on the part of the Respondents is contrary to the provisions of lavy. A copy of the charge sheet issued to the applicant and the reply submitted by the applicant is annexed hereto and marked as Exhibit-G.
 - The Applicant submits that before the recovery of the interest from his salary no show cause notice was issued to him. Thus, it is a clear cut case of violation of principles of natural justice. The order of recovery has been issued ex parte without hearing the applicant on the said issued.

(Quoted from page 9-10 of OA)

7. The above paragraph is replied by Respondent No.4 in paragraph 23 (page 51) of the reply, which reads as follows:-

"23. With reference to contents of Paragraph No.7.4, true it is no notice was given. However, it is submitted that when the charge leveled against the applicant was admitted by himself, issuance of notice will be fut le exercise."

(Quoted from page 51 of OA)

8. According to learned P.O. when the Applicant has admitted the charges, issuing separate show cause notice to him is considered futile. In support of him he relies on the judgment of the Hon'ble Supreme Court in case of S. Govindaraju Vs. Karnataka SRTC, (1986) 3 SCC 273: 1986 SCC (L&S) 520, relevant portion of which reads as under:-

"If the criteria required for arriving at an objective satisfaction stand fulfilled, principles of natural justice may not have to be complied with, especially when such compliance will be an empty formality."

- 2. Learned P.O. also relies on the judgment of the Hon'ble Supreme Court in the case of Ashok Kumar Sonkar Versus Union of India and Others, Civil Appeal No.4761 of 2006, decided on February 23, 2007, relevant portion of which reads as under:-
 - "26. This brings us to the question as to whether the principles of natural iustice were required to be complied with. There cannot be any doubt whatsoever that the audi alteram partem is one of the basic pillars of natural justice which means no one should be condemned unheard. However, whenever possible the principal of natural justice should be followed. Ordinarily in a case of this nature the same should be complied with. Visitor may be given situation issued notice to the employee who would be effected by the ultimate order that may be passed. He may not be given an oral hearing, but may be allowed to make a representation in writing.
 - 27. It is also, however, well settled that it cannot put any straitiacket formula. It may not be applied in a given case unless a

nreiudice is shown. It is not necessary where it would be a futile exercise.

- 28. A court of law does not insist on compliance with useless formality. It will not issue any such direction where the result would remain the same, in view of the fact situation prevailing or in terms of lead consequences. Furthermore in this case, the selection of the appellate was illegal. He is not qualified on the cut-off date. Being ineliable to be considered for appointment, it would have been a futile exercise to give him an opportunity of being heard."
- 10. According to learned P.O. prayer (b) made by the applicant namely (page 13) is not tenable before this Tribunal.
- 11. Learned Advocate for the Applicant mentions that the applicant proposes to withdraw his prayer (c) and he proposes to file an appeal.
- 12. At the request of learned Advocate adjourned to 10.08.2018 to provide the judgments of which he proposes to counter.

Sd/-(P.N. Dixit) Member (A) 2.8.2018

Dictation taken by: S.G. Jawalkar.

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	the Applicant	t and Mrs. A.B.	Kololgi, learned
	Presenting Offi	cer for the Respond	lents.
	2. The lea	rned P.O. files Sur-	rejoinder on behalf
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	 Heard Shri Amol Joshi, the Applicant and Ms. S.T. S Presenting Officer for the Respon 	Survawanshi, learned
DATE 3/8/18	The learned Advocate f seeks time to file his reply. Time	for Respondent No.5 granted.
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	The State of Mah. & ors.	Respondents
	 Heard Shri A.V. Ba Advocate for the Applicant learned Presenting Officer for the 	ndiwadekar, learned and Shri K.B. Bhise, ne Respondents.
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MPEARANCE: Chrisme A.V. Boundicoodelon	(skw)	
Advocate for the Applicant		
ShritSmt K.B. Bluse PONTO, for the Respondent/s		
1d 15.0. to 16/8/18.		

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	The State of Mah. & ors.	Respondents
	 Heard Shri G.A. Advocate for the Applicar learned Presenting Officer forms 	nt and Mrs. A.B. Kololgi,
DATE 3/8/18	 The learned P.O. fill the Applicant as exempte Examination. He seeks time 	
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	Mr. M.R. Desai Vs.	Applicant
	The State of Mah. & ors.	Respondents
	 Heard Shri V.P. Potbhare the Applicant and Ms. S.T. Presenting Officer for the Response 	Suryawanshi, learned
DATE 3818	2. The learned P.O. file: Respondent No.5. It is taken on	
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O.A.No.54/2018

Mr. R.G. Nandgude Vs. ... Applicant

The State of Mah. & ors.

... Respondents

- 1. Heard Shri S. Prabhune, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.
- 2. The learned P.O. mentions that the reply has been filed.
- 3. Admitted and kept for final hearing on 24th August, 2018.
- 4. Applicant is 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.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.
- 6. 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. Applicant is directed to file Affidavit of compliance and notice.
- 7. In case, notice is not collected within three days or service report on affidavit is not filed three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 8. S.O. to 24th August, 2018.

Sd/-(P.N. Dixit) Member-A 03.08.2018

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DATE S/8/8

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Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE: Shire S. P.S. Psabheure

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O.A.No.492/2018

Mr. D.V. Khot

... Applicant

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... Respondents

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi holding for Ms. S.P. Mancnekar, learned Chief Presenting Officer for the Respondents.
- The learned Advocate for the Applicant seeks adjournment to enable her to implead Zonal Officer and Election Commissioner of India as party Respondent Nos.3 and 4. He seeks one week to carry out the amendment and three weeks for serving the same.
- S.O. to 7th September, 2018. 3.

Sd/-

(P.N. Dixit) Member-A 03.08.2018

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	Vs.	Applicant
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	1. He Kololgi, Responder	ard Applicant in person and Smt. A.B learned Presenting Officer for the nts.
DATE 8/8/18	2. The the considerable Bench.	e Applicant proposes to seek transfer for deration of this application to another
Hon'ble Shri P.N. DIXIT (Member) A	3. Tran	nsferred to another appropriate Bench.
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APPEARANCE: SHAKEME Applicant In passon		Sd/-
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Advocate for the Applicant		Member-A
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	M.A.389/2018	<u>in O.A.No.844/2017</u>
	A.J. Jodarkar Vs.	Applicant
	The State of Mah. &	ors Respondents
	Heard Shri M. the Applicant and I Presenting Officer for	B. Kadam, learned Advocate for Ms. S.T. Suryawanshi, learned the Respondents.
, 1	2. Admitted and	kept for hearing of the M.A.
DATE 3/8/18 CORAM	3. 5.0. to 10 th Au	gust, 2018.
Han'ble Shri P.N. DIXIT (Member) A		
		Sd/-
STREAM NO. 18. Kaday		(P.N. Dixit) Member-A 03.08.2018
Acvocate for the Applicant	(skw)	
ephy (filed ag Aloo. Red		
to'h.		•

Original Application No.	o* 20	1	JISTRICT	
			•	Applicant/s
Advocate)			
	versus			
Th	e State of Maharasht	ra and others		
				Respondent/s
Presenting Officer	· · · · · · · · · · · · · · · · · · ·)	·	
Office Notes, Office Memoranda of (Appearance, Tribunal's orders directions and Registrar's ord	or	Tribunal's	orders	
		· · · · · · · · · · · · · · · · · · ·		

O.A.No.509/2018

Mr. P.S. Kumbhar

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.
- 2. The deceased, who is the father of the Applicant died on 1st October, 2011. The name of the wife was included for compassionate appointment at Serial No.13 by the Respondent No.2. The wife of the deceased would have completed her 45 years on 6th March, 2018. Prior to the same, she applied for substitution of her name by her son to be enrolled. The Applicant became major on 27th December, 2017. The same was rejected by Respondent No.2 (Page No.28) mentioning that, there is no provision for substitution of the name as far as compassionate appointment is concerned.
- 3. The learned Advocate for the Applicant relied on the Judgment given by the Tribunal at Aurangabad Bench in O.A.No.432/2013 (S.U. Wadnere Vs. The State of Maharashtra & 2 Ors.) (Page Nos.29 to 35 of the O.A.)
- 4. The learned P.O. seeks time to find out, if there is any legal impediment in furtherance of the order mentioned above. Time granted.
- 5. S.O. to 24th August, 2018.

EARANCE: No. 140/ges

""CV3Cate for the Applicant

Single S.D.Dole

di. S.O. to . 24 8 18

to ial

Sd/-

(P.N. Dixit) Member-A 03.08.2018

Original Application No.	Dist.	RICT
		Applicant/s
(Advocate)	
	Name -	
m	versus	
The State of	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 orde	ers
	O.A.No.114/2018	
·	Mr. A.D. Sawant Vs.	Applicant
	The State of Mah. & ors.	Respondents
	 Heard Shri M.D. Lonkar the Applicant and Mrs. A Presenting Officer for the Response 	A.B. Kololgi, learned
DITE 318/18	2. The learned Advocat mentions that, he proposes to to challenge the order issued filing a fresh O.A.	withdraw the O.A. and
DORAM Hop'ble Shri P.N. DIXIT (Member) A	 Permission granted and withdrawn. 	O.A. is disposed of as
AFPEARANCE: Lowcon		Sd/-
Shri/Smt - No. A: B. Joolog	(skw)	(P.N. Dixit) Member-A 03.08.2018
Adiso to O.A. cis disposed		

Original Application No. of	. 20 Dis	STRICT
		Applicant
(Advocate)	
	, Hawaya	
m. a.	versus .	·
The State o	f 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 or	ders
	O.A.No.	547/2018
	Mr. A.N. Bolde Vs.	Applicant
	The State of Mah. & ors.	Respondents
	 Heard Smt. Lata Patr the Applicant and Ms. S.T. Ms. N.G. Gohad, learned Pr Respondents. 	
DATE 3/8/18	It is directed that R other Officer deputed by P present with progress report.	
CORAM	3. S.O. to 7 th August, 201	.8.
Hon ble Shri P.N. DIXIT (Member) A	Ţ.,	
AFREARANCE:		Sd/-
_starsmt: Lata Posthe		(P.N. Dixit) Member-A 03.08.2018
Advocate for the Applicant	(skw)	03.08.2016
Bhrismi Wa. S.T. Scaragano Val	ú	
Adi./S.O. to 7/8/(8.		
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	et et e	Carlos Artificial
Original Application No. of	20	DISTRICT
		Applicant/
A.1		-61
(Advocate)	
	versus	•
The State of	Maharashtra and others	•
		•
	,	Respondent/s
Presenting Officer)	
Office Notes, Office Memoranda of Coram,		
Appearance, Tribunal's orders or	Tribun	al's orders
directions and Registrar's orders		
·	O.A.No.558/	2018
, ,	<u>5.7.140.338)</u>	<u>, </u>
	Mr. K.D. Dhondge	Applicant
	Vs.	•
·	The State of Mah. & or	s Respondents
·	· .	
		Jagdale, learned Advocate for
		S.T. Suryawanshi holding for
	Respondents.	arned Presenting Officer for the
	respondents.	
	2. Shrì G.B. Sh	inde, Under Secretary of
	- · · · · · · · · · · · · · · · · · · ·	ates that the Subsistence
DATE 3/8/18		id upto May, 2018 on 17 th July,
CORAM	2018.	
Hon'ble Shri P.N. DIXIT (Member) A		
- wit (Momber) A		f learned P.O. to enable her to
AUDEADANOE		er is adjourned to 24th August,
TO STANCE:	2018.	
Si Land La Cadol		
Advocate for the Applicant		
a some los the Abbacant		Sd/-
Birdsme Ms. S.T. Scerepopoculi		(P.N. Dixit)
C.P.O/P.O. for the Respondent/s	•	Member-Á
		03.08.2018
Adi. 'S.O. to 24 8 18.	(skw)	

		and the contract of the contra
Original Application No.	of 20	DISTRICT
		Applicant/s
Advocate)	
	versus	
The State	of Maharashtr	a 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.610/2018
	Dr. S.S. Cl Vs.	
	1	of Mah. & ors Respondents
		eard Applicant in person and Ms. S.T. shi, learned Presenting Officer for the
.		s. Patne files her Vakalatnama on behalf of spondent No.4. It is taken on record.
DATE 3818 DOWAM Hon'ble Shri P.N. DIXIT (Member) A	Advocate	the request of learned P.O. and learned for Respondent No.4 to enable them to file , adjourned to 30 th August, 2018.
A PEARANCE:		Sd/-
Alvocate for the Applicant	h	(P.N. Dixit) Member-A
	(skw)	03.08.2018
Sismt (19 S.T. Scare adoorded to the Control of the Respondent's to 162 C. D. No. 4.	.	
Con (An)		

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

Tribunal's orders

O.A.No.254/2018

K.A. Bhosale

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- Heard Shri M.B. Kadam holding for Shri D.V. Sutar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.
- issue notice returnable on 24th August, 2018. 2.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- Applicant is 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.
- 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.
- 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. Applicant is directed to file Affidavit of compliance and notice.
- In case, notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 5.O. to 24th August, 2018.

Sd/-

(P.N. Dixit) Member-A 03.08.2018

CORAM Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE holding box

Ad rocate for the Applicant

Original Application No.	20	DISTRICT	Applicant/s
(Advocate)		, .
	versus .		
The State o	f Maharashtra and others	•	
			Respondent/s
(Presenting Officer)		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribun	al's orders	
	M.A.379/2018 i	n <u>O.A.No.254</u> /	/2018
	K.A. Bhosale Vs. The State of Mah. & o	rs.	Applicant
: 1.0	 Heard Shri M.E Sutar, learned Advoca A.B. Kololgi, learned Respondents. 	ite for the Ar	
DATE S/8/18 CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. For the reason permitted and O.A. is r	'	rein, the M.A. is
APPEARANCE:			Sd/-
APPEARANCE: Shrismt III. B. Ikadauu. Advocate for the Applicant			(P.N. Dixit) Member-A 03.08.2018
Sharsmt Shut A.13 Kololgi C.P.O.P.O. for the Respondent/s	(skw)	· ·	
Ad 180 to M.A. cis Permitter Ond O.A. is restored			

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

Tribunal's orders

O.A.No.627/2018

Mr. M.P. Kanoje

... Applicant

Vs.

The State of Mah. & ors.

... Respondent

- 1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondent.
- 2. The learned P.O. files reply on behalf of Respondents. It is taken on record.
- 3. Admitted and kept for final hearing on 24th August, 2018.
- 4. Applicant is 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.
- 5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.
- 6. 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. Applicant is directed to file Affidavit of compliance and notice.
- 7. In case, notice is not collected within three days or service report on affidavit is not filed three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 8. S.O. to 24th August, 2018.

Sd/-

(P.N. Dixit) Member-A 03.08.2018

(skw)

DATE 3/8/18
CCRAM
Hor ble Shri P.N. DIXIT (Member) A

APPEARANCE:

Arivocate for the Applicant

Shri'Smt S.D. Dole C.P. O/F.O. for the Respondent/s

Adilson 24/8/ Reply filed by

Priginal Application No.	of 20		DISTRICT	
				Applicant/s
Advocate				
	0e	rsus.		
The State	e of Mah	arashtra and	lothers	
				Respondent/s
Presenting Officer				
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders			Tribunal's orders	
	Date	e: 03.08.2018.		
	İ	•	O.A. No.901 of 201	5
	N.G.	Kondhalkar	_	Applicant.
	Vers	us		
	The	State of Maha	rashtra & Ors.	Respondents.
	1.	Heard Shri	N.K. Rajpurohit, the	e learned Presenting
1	Offic	er for the Resp		
TATE 9/8/18	2.	Shri D.B.	Khaire, the learne d	Advocate for the
CORAM vibra Shri P.N. DIXIT (Member) A	Appli		and leave note is on r	
TOTAPANCE Leave not	3.	Adjourned t	o 10.08.2018.	
ARANCE: Leave hod	` f		_	_
The land of the second of the			Sd	/_
more cate for the Applicant La Responsibility	prk		(P.N. Dix Member	
F-97.0. for the Respondent/s		•		
10/5.0. to 10/8/18.				

M A./R.A./C.A. No

of 20

IN

Or ginal Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or rirections and Registrar's orders	Tribunal's orders
	Date: 03.08.2018.
	O.A.No.741 of 2017
	V.K. JagdhaneApplicant.
	Versus The State of Maharashtra & OrsRespondents.
ATE 8/8/18 OIZAM on ble Shri P.N. DIXIT (Member) A	 Heard Shri A.A. Gharte, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents. Adjourned to 09.08.2018.
	2. Adjourned to 09.08.2016.
EARANCE: charte	Sd/-
	(P.N ⁽ Dixit) Member(A)
hrosint 14.14. Day proposition 2.2750. for the Respondent/s	prk
d./5.0.10 9/8/18.	

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 03.08.2018.

O.A.No.188 of 2018

R.D. Chauhan

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

- Heard Shri M.B. Kadam, the learned Advocate holding for Shri D.B. Khaire, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
- Affidavit-in-reply is filed by learned P.O. for the Respondents Ms. S. Suryawanshi. It is taken on record.
- Kadam seeks Shri M.B. Advocate Learned 3. adjournment.
- S.O. to 31.08.2018.

Sd/-

(P.N. Dixit) Member(A)

CORAM

Hen'ble Shri P.N. DIXIT (Member) A

APPEARANCE Acvocate for the Applicant

Q NO. 2

prk

Original Application No.	· f 20	DISTRICT	. *
			Applicant/s
: A avocate :.			-
	vers	US	
,	The State of Mahar		
			Respondent/s
Presenting Officer)	
			wheeler all the Management and the Control of the C
Office Notes, Office Memoranda Appearance, Tribunal's orde directions, and Registrar's o	ers or orders	Tribunal's orders	
	Date	: 03.08.2018.	
		O.A.No.936 of 20	
	S.A. [Dhavale	Applicant.
	Versu	JS ,	
	The S	tate of Maharashtra & Ors.	Respondents.
	1.	Heard Shri A.B. Kadam, the le	earned Advocate for the
	Appli	cant, Smt. Archana B.K., the lea	
		he Respondents No.1 to 4 and	
		ed Advocate for the Respondent	
TATE SIRILR	* 4.		•
CO RAM	2.	Learned Advocate for the Re	
Hon ble Shri P.N. DIXIT (Member)	▲ Jagda	ale files his affidavit clarifying the	e source of his resources.
		same is taken on record.	
APPEARANCE: Hade	ш 3.	Learned Advocate for the Ap	oplicant Shri A.B. Kadam
,	seek	s adjournment.	
Advocate for the Applicant		40.00.0040	
Ebrism Acachanal		Adjourned to 10.08.2018.	
2. P. J. Togdov Co	200 / toh	•	Sd/-
13.00		(D.A)	
50.40 10/8/18	and the same of th	· · · · · · · · · · · · · · · · · · ·	l'Dixit) mber(A)
50. to 10/8/18 Keply Riled Gy	prk prk		
B.140.5.			
	L L		

		The state of the s	•
Original Application No. 1997 (1997) of 2	20	DISTRICT	Applicant/s
Advocate)	¥	
	versus		
The State of	Maharashtra an	d others	
			Respondent/s
Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	R.A.1/2	2018 in O.A. 10/2017	· -
	M.A. Ingale	•	Applicant
	Vs. The State of I	Mah. & ors.	Respondents
	the Applican	Shri J.N. Kamble, le at in person and s enting Officer for the	Shri A.J. Chougule
S 8 8. MAM On the Shri P.N. DIXIT (Member) A	that, his app Hon'ble Bom did not ment therefore, pr	earned Advocate for plication was earlie bay High Court long tion the date of birtle oposes to withdraw ition before the Ho	r dismissed by the gago. However, he h in the same. He this O.A. from her
Shi/Smt J. N. Kamble Advocate for the Applicant Applicant	requests pe granted and	learned Advocate rmission for the state the O.A. is, theref	ame. Permissio
Advocate for the Applicant - Applicant - Shrismt A: J-Chougelle			Sd/-
上のPO/PO. for the Responderがら	\ \		(P.N. Dixit)
Aduso to D.A. cas disposed	,		Member-A 03.08.2018
bu mel	(skw)		

M.A./R.A./C.A. No

of 20

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Diginal Application No.

of 20

FARAD CONTINUATION SHEET NO. Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders lirections and Registrar's orders Date: 03.08.2018. O.A.No.194 of 2017 I.M. Pathan & Ors.Applicants. Versus The State of Maharashtra & Ors.Respondents. Heard Shri S.S. Dere, the learned Advocate holding for Shri S.D. Chavan, the learned Advocate for the Applicants and CORAM Smt. Archana B.K., the learned Presenting Officer for the Ennible Shri P.N. DIXIT (Member) ▲ Respondents. At the request of learned Advocate Shri S.S. Dere adjourned to 09.08.2018.

Anyocate for the Applicant

English Horchaka 12 K.

4 il/5.0. to 9/8/18.

Sd/-

(P.N^l Dixit) Member(A)

prk

Uriginal Application No.	of 20	District	DISTRICT	
			Applicant/s	
Advocate)			
	versus			
The State	of Maharashtra ar	od othore		
TIN Stav	o on manarasmua ar	id others	D	
5			Respondent/s	
Fresenting Officer		}		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders		
	Date: 03.08.2018	3.		
	O.A.No.10	22 of 2016 with O.A.N	o.1025 of 2016	
	D.D. Navghare (O J.K. Pawar (O.A.N	.A.No.1022/2016) Io.1025/2016)	Applicants.	
	Versus			
	The State of Mah	arashtra & Ors.	Respondents.	
ماماء	1. Heard Sm	t. Ranjana Todankar, i	the learned Advocate	
DATE 3/8//8	for the Applican	ts and Shri N.K. Raj	purohit, the learned	
CORAM Hon'ble Shri P.N. DIXIT (Member) A	Presenting Officer	r for the Respondents.		
	2. Learned	Advocate for the App	plicant Smt. Ranjana	
APPEARANCE:	Todankar prays fo	or adjournment on the	ground that identical	
Settint hawaina locious	matter is pending	before Hon'ble High (Court and the same is	
Towecaste for the Applicant	still under conside	eration.		
SITISMEN 18 18 CLI DOLLOWIT	 3. Adjourned	i to 21.09.2018.	, _	
Aci/S.O. to 2/9/18:		So	_ <i></i> d/-	
action to the second	/ 	(P.N. Di Membe		

M.A./R.A./C.A. No.

of 20

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ション for the Respondent/s

Original Application No.

of 20

FARAD CONTINUATION SHEET NO. Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders Date: 03.08.2018. O.A.No.88 of 2017Applicant. S.S. Dhobale VersusRespondents. The State of Maharashtra & Ors. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. CORAM Adjourned to 10.08.2018. 2. con ble Shri P.N. DIXIT (Member) A Sd/-(P.N. Dixit) Member(A) way poste for the Applicant

IN THE MAHARASHIRA A	MUMBAI	
Original Application No. of	20	District Applicant/s
(Advocate)	
	versus	
The State of	f Maharashtra and others	
		Respondent/s
Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribur	al's orders
	O.A.No.573	<u>/2018</u>
	Dr. S.M. Pawar Vs.	Applicant
	The State of Mah. & c	irs Respondents
	Heard Shri M. the Applicant and Shri Officer for the Respor	D. Lonkar, learned Advocate for ri K.B. Bhise, learned Presenting idents.
DATE 3/8/18	heen relieved at the	.O. stated that the Applicant has government level on 1 st June, at further relief is to be provided and 4.
rton'ble Shri P.N. DIXIT (Member) ▲	3. On behalf o	of Respondent Nos. 3 & 4, or. A.A. Athalye is personally

APPEARANCE:

ac locate for the Applicant

会社会での, for the Respondent/s

40:/5.0. to . 10/8/18

S.O. to 10th August, 2018.

the Applicant forthwith.

present. He mentions that tomorrow i.e. on 4th

August, 2018, the Respondent No.4 is holding interview of fresh applicants for the same Primary Health Centre. He is directed to communicate the

progress within seven days. If the candidate is selected, there should be no further delay in relieving

Sd/-

(P.N. Dixit) Member-A 03.08.2018

(skw)

M. A./R.A./C.A. No.

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.08.2018. O.A.No.693 of 2017 P.M. ShindeApplicant.
	Versus The State of Maharashtra & OrsRespondents.
DATE 8/8/18	 Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
CCRAM for 'ble Shri P.N. DIXIT (Member) A	 Learned Advocate for the Applicant Shri R.M. Kolg on instructions from the Applicant proposes to withdraw an substitute the O.A.
SOLUSING D.W. 120/20	3. Substitution as proposed is granted.
ectvocate for the Applicant	4. S.O. to 31.08.2018.
Shrismt (Ve. S. Sculu concerd	5 0/-
841/5.0. to 31/8/18.	(P.N. Dixit) Member(A)

M.A./R.A./C.A. No.

of 20

IN

Or ginal Application No.

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or cirections and Registrar's orders	Tribunal's orders
	Date: 03.08.2018.
	O.A.No.1109 of 2017
	Applicant.
	Versus The State of Maharashtra & OrsRespondents.
	Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting
DATE 3/8/18	Officer for the Respondents.
CORAM Hon'hla Shri P.N. DIXIT (Member) A	 At the request of Applicant who is present learned Advocate Shri K.R. Jadgdale request for withdrawal of the O.A Learned Advocate further seeks liberty to file fresh O.A.
SIMISME IX. R. Jagdole	Accordingly request of learned Advocate is granted
Advocate for the Applicant	and O.A. is disposed of as withdrawal.
3 - Son - No. 5 . Scarepourer	Sd/-
AHISO to O A cas dispose	1 (m. a. billia)

: (C.P.) J 2260 (A) (50.000-2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

	113. 42 21.22	
Original Application No.	of 20	Districт Applicant/s
+Advocate)	
	vers us	
The	State of Maharashtra	and others
		Respondent/s
Presenting Officer)
Office Notes. Office Memoranda of Co Appearance, Tribunal's orders o directions and Registrar's order	• •	Tribunal's orders
	!	
	Date: 03.08	
	; i	O.A.No.1077 of 2017
	C.S. Swami	Applicant.
	•	
	Versus The State o	f Maharashtra & OrsRespondents.
	4 Hea	ard Shri K.R. Jagdale, the learned Advocate for the
	1. Hea	and Smt. Archana B.K., the learned Presenting
DATE SISIIS	Applicant	neamandants
<u>CC RAM</u> Pou'ble Shri P.N. DIXIT (Member) A	Officer for	the Respondents.
TOTAL SITT F.N. DIXTI TWEITER	2. At	the request of learned Advocate for the Applicant
TO THE PARTY OF TH	chri V D li	agdale adjourned to 31.08.2018.
FPEARANCE:	ف	
Smilsmt - K. K. J. School		Sd/-
Rdy ocate for the Applicant		(P.Ň(Dixit)
Strom Acrchana R	<i>5.</i> (۲،	Member(A)
SECTION for the Respondent/s	prk	
	!	
Adi /S.O. to 31/8/18.	 20 1	

Original Application No.	of 20	DISTRICT	Applicant/s
Advocate		,	
	versu s		
The State	e of Maharashtra and othe	ers	
			Respondent/s
Presenting Officer)		
Office Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tril	ounal's orders	

CORAM Horible Shri P.N. DIXIT (Member) A

Shrismt M.D.

Approcate for the Applicant

二〇四〇. for the Respondent/s

the perhassion to w the o.A. as gran with liberty to hele alresh O.A.

O.A.No.383/2017

Mr. J.K. Bhosale

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
- The learned Advocate for the Applicant seeks permission to withdraw the O.A. He cites two orders issued by Respondent No.3 - Commissioner of Police dated 18th June, 2018 and 24th July, 2018. The same are taken on record and marked 'X1' and 'X2' for identification.
- The learned Advocate proposes to file a fresh O.A. challenging the same.
- Accordingly, the permission to withdraw the O.A. is granted with liberty to file afresh O.A.

Sd/-

(P.N. Dixit) Member-A 03.08.2018

(skw)

Original Application No.	of 20	·		DISTRICT	Арլ	dicant/s
(Advocate	i	versus				
			tra and others	·	Resp	ondent/s
(Presenting Officer						
Office Notes, Office Memoranda c Appearance, Tribunal's orde directions and Registrar's o	rs or		Tribans	al's orders		
		. 	•	•		
		Date: 03	.08.2018.			
	Ì		0.A.O	No.911 of 20		
		H.M. Chi	khale & Ors.		***	.Applicants.
	,	Versus		2.0-	Dο	spondents.
		•	e of Maharashtra			
			Heard Shri K.R. Ja			
1			nts and Shri A.J.		the seam	cu rresemme
DATE 3/8/18			or the Responder		-li-omta Ch	ri V D. Jagdaje
CORAM Hon'bie Shri P.N. DIXIT (Member) A		Learned Advocate djournment of tw			
HONDIN SITTEM. DIVING		seeks a	•	O WEEKS 10		
APPEARANCE:	le	· · ·	Adjourned to 24.	08.2018.		
Advocate for the Applicant	,				0.1/	
Shrismt A.T. choca		,		• .	Sd/- I. Dixit) mber(A)	
Adj./S.O. to 24/8/18	le cool	prk				

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

Tribunal's orders

O.A.No.286/2018

V.V. Ambole ٧s.

... Applicant

The State of Mah. & ors.

... Respondents

- Heard Shri V.P. Deshmukh, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.
- Issue notice returnable on 24th August, 2018. 2.
- Tribunal may take the case for final disposal at 3. this stage and separate notice for final disposal shall not be issued.
- Applicant is authorized and directed to serve 4. 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.
- This intimation / notice is ordered under Rule 5. 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- 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. Applicant is directed to file Affidavit of compliance and notice.
- In case, notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- S.O. to 24th August, 2018.

Sd/-[P.N. Dixit)

Member-A 03.08.2018

(skw)

CCRAM

Hor ble Shri P.N. DIXIT (Member) A

Advocate for the Applicant

Shr Smt - S. D. CPC/P.O. for the Respondent/s

WIC		
Original Application No. c 20		DISTRICT Applicant/s
Advocate)	
Attyticate	versus .	
The State of I	Maharashtra and others	Respondent/s
Presenting Officer)	
Office Notes, Office Memoranda of Covam, Appearance, Tribunal's orders or directions and Registrar's orders	Tribuns	l's orders
	M.A.394/2018 in	O.A.No.286/2018
	V.V. Ambole	Applicant
	Vs. The State of Mah. & o	s. Respondents
	1. Heard Shri Y.P for the Applicant a Presenting Officer for	. Deshmukh, learned Advocate and Shri S.D. Dole, learned the Respondents.
11.	2. For the reason permitted and O.A. is	ns stated therein, the M.A. is restored.
DATE 3/8/18	•	
<u>CORAM</u>		Sd/-
Hon ble Shri P.N. DIXIT (Member) A		(P.N. Dixit) Member-A
on some y. P. Describe	(skw)	03.08.2018
nevocate for the Applicant	`, 	
Sincesme S.D. Dole		
C.P.O.F.O. for the Respondent/s		
ASTA to M.A. cis pormit	7	·
and D.A. as sestocres)	
The same of the sa	_ 	

(G.C.P.) J 2260 (A) (50,000—2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

		. 1	
Original Application No. of 20		Distr	іст , Applicant/s
(Advocate)		·
	versus		
The State of M	Iaharashtra and	d others	• *
		•	Respondent/s
(Presenting Officer)		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's ord	ers
	•	O.A.No.31	10/2018
	Mr. S.B. Kashi	id	Applicant
	Vs. The State of N	∕lah. & ors.	Respondents
	for the App		ratre, learned Advocato i K.B. Bhise, learned oondents.
	2 The le		ests for two weeks' time
	3. S.O. to	16 th August, 201	18.
CORAM Hon'ble Shri P.N. DIXIT (Member)			Sd/- (P.N. Dixit) Member-A
shi _ ET chandrate	(skw)		03.08.2018
Sinri/Smt 12. B. Blu'S C. P.O.P.O. for the Respondent/s			
AHISO 10 16 8 18			

riginal Application No.	of 20	District
		Applicant/s
Advocate		
	ver	rsus
The S	State of Ma h	arashtra and others
		Respondent/s
Presenting Officer)
Office Notes, Office Memoranda of Cor Appearance, Tribunal's orders or directions and Registrar's orders	Į	Tribunal's orders
	<u>03.0</u>	0.A 578/2018 & Ors
		A.A Gaikwad & Others Applicants Vs. State of Maharashtra & Ors Respondents
		Heard Ms Madhavi Iyyapan holding for S.B. kar, learned advocate for applicant and Ms Swatinchekar, learned C.P.O for the Respondents.
DATE: 3/8/2-018	2.	Learned C.P.O prays for two weeks' time for g reply.
APPEARANCE: Finismi Madhavi Tyrals: Alling For Mol. S.B. Toledler	n	s.0 20.8.2018. Sd/-
Sherry S. P. Man Chever	Akn	(A.H Joshi J.) Chairman

	MUMBAI	
Original Application No.	of 20	DISTRICT
		Applicant/
(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
and Registral's Orders	03.08.2018	
	<u> </u>	66/2018
	Smt S.P Jedhe	Applicant
	Vs. The State of Mahara	shtra & Ors Respondents
	1. None for applearned P.O for the I	oplicant. Heard Ms Archana B.K Respondents.
	2. Issue notice	eturnable on 8.10.2018.
	3. Tribunal may this stage and sepa not be issued.	take the case for final disposal at rate notice for final disposal need
	on Respondents int duly authenticated paper book of O.A.	e authorized and directed to serve imation/notice of date of hearing by Registry, along with complete Respondents are put to notice that taken up for final disposal at the earing.
PATE: 3/8/2018	of the Maharashtra A	on/notice is ordered under Rule 11 administrative Tribunal (Procedure) e questions such as limitation and kept open.
CORAM: Contole Justice Shri A. H. Joshi (Chalman)	6. The service speed post/courier a	may be done by hand delivery/ nd acknowledgement be obtained

returnable on slol 2019.

S.O to 8.10.2018.

record.

Sd/-

and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file

In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to

affidavit of compliance and notice.

(A.H Joshi, J.)

Original Application No.	of 20 District
	Applicant/
Advocate	
	versus
The Stare	of Maharashtra and others
	Respondent/
(Presenting Officer	
Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	03.08.2018
	M.A 220/2018 in O.A 166/2018
	Shri S.P Jedhe Applicant
•	The State of Maharashtra & Ors Respondents
	1. None for applicant. Heard Ms Archana B.K
	learned P.O for the Respondents.
·	2. Accepting the reasons and grounds in the M.A.
2191000	to be good and sufficient delay is condoned.
CORAN:	1
manning Japane Stat A. H. Joshi (Challester)	
APPEARACE:	Sd/-
man Mone for applicant.	Chairman
Plain role for the Applicant	Akn
AYUNAN B.K.	
M.A. is allowed.	
RE-	

•	MUMBAI	
Original Application No.	of 20	DISTRICT
•		, Applicant/s
(Advocate		
	versus	
. The Sta	ate of Maharashtra	and others
		Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	lı	Tribunal's orders
	03,08,2018	
		O.A 90/2018
	Dr P.W Mahino	dre Applicant
	Vs The State of M	aharashtra & Ors Respondents
		Shri S.P Saxena, learned advocate for Shri N.K Rajpurohit, learned P.O for the
	is submitted	P.O states that applicant's pension case to office of Accountant General on
DATE: 3/6/2#X		f Commissioner of Agriculture is directed
for ble Justice Shri A. H. Joshi (Chairman)	to follow up an compliance.	d get it sanctioned out of turn and report
A <u>PPEARANCE:</u> unisme <u> </u>	4. S.O to	10.8.2018.
Advocate for the Applicant	5. Stene c	ony and Hamdast is granted Learned

Respondents.

Sd/-

P.O is directed to communicate this order to the

(A.H Joshi, J.) Chairman

Akm

Shri/Smt 17. K. Kell C.P.O/P.O. for the Respondent

Criginal Application No.	f 20 Distri	RICT
		Applicant/
(Advocate)	
	versus	. •
The State	of Maharashtra and others	
		Respondent/
		Respondent
Presenting Officer)	
Office Notes, Office Memoranda of Coram,		
Appearance, Tribunal's orders or	Tribunal's ord	ers
directions and Registrar's orders		
•	03.08.2018	
	55.55.2515	
•		
	O.A 219/2	<u>018</u>
	Shri S.P Ingole	Applicant
	Vs.	• -
•	The State of Maharashtra & Ors	Respondents
	1. Heard Shri S.S Dere,	learned advocate for
	applicant and Smt K.S Gaikwad,	
		ichilica i , o , oi i i i
	Respondents.	
		1 OF 1 '. " 1
•	2. Learned P.O has submitte	ed affidavit in reply on
DATE: 3/8/2018	behalf of Res.no. 2.	
	•	•
CORAM:	3. S.O 9.8.2018.	\ .
terrible Justine Shri A. H. Joshi (Chalman)		
LINES BANCE.		/
William: 35. Deve	·	ſ • ***
		Sd/-
Advisible for the Applicant	·	(A.H Joshi, J.)
		Chairman
KS GaKWad	Akm	~ ~
S.Gs/O. for the Respondents		
9/8/2013.		
G. C.		

Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	versus	,
The State	of Maharashtra and	others .
		Respondent/s
(Fresenting Officer		
Treserved, Giracer		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	03.08.2018	
		O.A 556/2018
	Shri V.D Thorat Vs.	Applicant
	The State of Mahar	ashtra & Ors Respondents
	1. None for ap learned C.P.O for the	plicant. Heard Ms Swati Manchekar, he Respondents.
	2. Issue notice	returnable on 9.10.2018.
		ay take the case for final disposal at parate notice for final disposal need
<u> </u>	on Respondents in duly authenticated paper book of O.A.	are authorized and directed to serve ntimation/notice of date of hearing it by Registry, along with complete Respondents are put to notice that a taken up for final disposal at the hearing.
or ble Justice Shri A. H. Joshi (Chairman) FPEARANCE: Thomas for apple	of the Maharashtra	tion/notice is ordered under Rule 11 a Administrative Tribunal (Procedure) the questions such as limitation and re kept open.
S.P. MAN Uncker for the Respondents disa to Tesy C natic Y dumple	speed post/courier and produced alon Registry within one	e may be done by hand delivery/ and acknowledgement be obtained g with affidavit of compliance in the week. Applicants are directed to file nce and notice.
on 9/10/2018.	7. In case not service report on returnable date,	ice is not collected within 7 days or affidavit is not filed 3 days before Original Application shall stand reference and papers be consigned to

Sd/-(A.H Josep, Chairman

record.

S.O 9.10.2018.

Criginal Application No.	of 20	Distr	ICT
			Applicant/s
(Advocate)		
	versu	Q	
The Stat	to of Mahara	shtra and others	
			Respondent/s
(Presenting Officer			
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions, and Registrar's orders		Tribunal's orde	ers
	03.08.2	018	
		O.A 683/20	<u>18</u>
		O Pawar /s. te of Maharashtra & Ors	Applicant Respondents
	for appli	Heard Shri G.A Bandiwade icant and Ms Swati Manch Respondents.	
		n view that notice is serve	
CCAM Hon'the Justice Shri A. H. Joshi (Chairman)	2.	S.O 6.9 2018.	>
APPEARANCE: SINSM F.A. Mandindelver		-	Sd/- (A.H Joshi, U)
Advocate for the Applicant	A k oı	•	· · · · · · · · · · · · · · · · · · ·
Senson S. F. Man Cheller P.O. for the Passondenia			· ·
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Criginal Application No.	of 20 District
	Applicant
(Advocate	
6	versus
(F) C44	tr of Maharashtra and others
The Star	
	Respondent
(Fresenting Officer	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrat's orders	03.08.2018 Tribunal's orders
	O.A 715/2018 with M.A 402/2018
	Shri A.S Shirsath & Others Applicants Vs. The State of Maharashtra & Ors Respondents
1.	 Heard Shri S. Chinnappa, learned advocate for applicants and Ms Neelima Gohad, learned P.O for the Respondents.
	2: M.A and O.A allowed to be withdrawn with liberty to file fresh application.
1.3	<i>y</i>
DATE: 3 8 18 COKAM	\frac{1}{Sd/-}
Hon ble Justice Shri A. H. Joshi (Chairman)	(A.H Joshi, J.)
Almeerance:	Akn
Appropriate for the Applicant	
She/Gmt : "Y. F. GoNcd C.E.O'P.O. for the Pospondent/s	
Adiso to MA 4 ch allowed	
to be withdrawn with libesty	
tile from application.	
4	·

Office Notes, Office Memorande of Corum, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

03.08.2018

O.A 272/2018

Shri S.S Barapatre Vs.

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri K.R Jagdale, learned advocate for applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. Learned advocate for applicant prays for leave to substitute memo of O.A.
- Leave as prayed for is granted.
- 4. If amendment is carried out within one week, issue notice returnable on 8.10.2018.
- 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 6. Applicants 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.
- 7. 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.
- 8. 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.
- 9. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
- 10. S.O to 8.10.2018.

. Sd/-

(A.H Joshi J.)

PATE: 3/8/2018
COTAM:
Hon'ble Justice Shri A. H. Jointi (Chairman)

APPEARANCE:

Advocate for the Applicant

Sharsmi S. C. Man Uncker
C.P.0/20, for the Respondentils

MADO LL Adv Por App.

Prays for leave to substitute memo of o.m.

granted. S-o. to 8/10/2018

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

DATE : 3/8/2018

APPEARANCE:

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Shallsont S.D. Dale CROPO at the Respondents

adison Taske notice

volumable on 8/10/2018.

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

S. F. Panchal

CONAM

Tribunal's orders

03.08.2018

O.A 604 /2018

Shri S.J Mulik Vs.

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Shri R.G Panchal, learned advocate for applicant and Shri learned P.O for the Respondents.
- Learned advocate prays for leave to amend the O.A for adding certain averments.
- 3. Leave as prayed is granted. Amendment be carried out within four days.
- Issue notice returnable on 8.10.2018.
- 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- Applicants 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.
- 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.
- 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.
- In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
- 10. S.O to 8.10.2018.

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

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Original Application No.	of 20	DISTRICT
		Applicant/
!Advocate		
	versus	
The State	of Maharashtra and	d others
		Respondent/s
(Presenting Officer		· .
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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	Q1.08.2018	
	M A 399/2018 :-	. O 4 24/2010 - US O 4 OF 10010
	1	1 C.A 24/2018 with O.A 971/2018 B in O.A 971/2018
		·. · ·
•	Shri D.P Ahirrao Vs.	Applicant
	The State of Maha	rashtra & Ors Respondents
	1 Heard Shr	i R.G Panchal, learned advocate for
	4	Neelima Gohad, learned P.O for the
•	Respondents.	
,	2. In the mid	st of hearing learned advocate prays
	for leave for not pro	essing M.A and C.A
ATE: 2/8/2018	Both M.A	and C.A stands disposed of as not
Chairment?	pressed.	and our stands disposed the as not
•)
PEFARANCE: PENCHE		. /
R at Verione		Sd/-
KO w kir the mythomic		(A.H Joshi, 4)
OPO for the Freepondenius	Akn	Chairman
san MAd CA Stones		
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Original Application No.	of 20	District	
			Applicant/s
(Advocate			
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	versus		
The S	tate of Maharashtra	and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Core Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	03.08.2018		
	M.A 4	32/2017 in O.A 918/2	<u>1017</u>
	Shri M.D Ja Vs.	munkar	Applicant
•	The State of I	Maharashtra & Ors	Respondents
•	1. Heard	l Shrì Anand Gugle, hol	ding for R.M Kolge,
•	learned advo	cate for applicant and I	Ms Neelima Gohad
	learned P.O f	or the Respondents.	
	2. At th	e request of learned	P.O adjourned to
	0.3.2016.		
DATE: 3/8/2019		-	. /
DATE: STOTE			Sd/-
Henfile Justice Shri A. H. Jeshi (Chairman)		(A.H Joshi, J.)
APPEARANCE:	Akn		`
Shrism Arand Guale Pol	المردو		
Advocate for the Applicant			
Shid/Smit.			

	WI CO WIED A	
Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	versus	
The Stat	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
	<u>01.08.2018</u>	
	M.A 389/2018 with	O.A 580/2018
L.	Shri R.S Bhore	Applicant
	Vs. The State of Maharashtra & (Ors Respondents
	Heard Shri Anand Gu Bandiwadekar, learned advo- Neelima Gohad, learned P.O. f	agale holding for Shri A.V cate for applicant and Ms or the Respondents.
	2. Issue notice returnable	e on 8.10.2018.
	3. Tribunal may take the this stage and separate notic not be issued.	e case for final disposal at ce for final disposal need
	4. Applicants are authors on Respondents intimation/aduly authenticated by Regis paper book of O.A. Responder the case would be taken up stage of admission hearing.	try, along with complete
ATE: 3/8/2018		is ordered under Rule 11
SOT State of the Shri A. H. Jachi (Chairman)	of the Maharashtra Administra Rules, 1988, and the question alternate remedy are kept open	ative Tribunal (Procedure)
PPEASANCE:	6. The service may be	
Want Arand Flugele helding to	speed post/courier and acknowledge	done by hand delivery/ owledgement be obtained
Av. BandiWadaker dwarmen or the Anollom	and produced along with affid Registry within one week. App affidavit of compliance and not	avit of compliance in the
POPO, for the Respondence	7. In case notice is not co	ollected within 7 days or

Aduso to Essue notice volument on all of 2018.

S.O to 8.10.2018.

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

service report on affidavit is not filed 3 days before returnable date, Original Application shall stand

dismissed without reference and papers be consigned to

Original Application No.	of 20	DISTRICT
Advocate		Applicant/s
	versus	
The State	of Maharashtra and others	
Presenting Officer)	Respondent/s
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal	's orders
	03.08.2018	
	O.A 176/2017 with Shri B.N Wakchaure	_
	Vs.	Applicant
•	The State of Maharashtra &	Ors Respondents

for the Respondents.

reinstatement and continuing him in employment by giving him the benefit of Sec 47 of Disabilities (Equal Opportunities, protection of rights Participation) Act, 1995 It is shown by learned P.O that the latest

communication of the department is dated 16.7.2018 and matter is still pending before the Government.

Heard Shrı G.A Bandiwadekar, learned advocate for applicant and Ms Savita Suryavanshi, learned P.O

This case is being adjourned from time to time on the ground that the matter is pending before the Government for decision on the point as to whether applicant can be given benefit by granting him

It appears that the attention of the Addl. Chief Secretary, Home is required to be drawn to this case.

Therefore Addl. C.S is directed as follows:-

He should call for entire paper, study himself, take legal advice, study judgment of this Tribunal as well as Hon'ble Supreme Court governing this issue and thereafter cause suitable note to be put before him for decision and take decision on the proposal. It is appropriate to give him reasonable time.

Time is granted till10.9.2018.

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

(A.H Joshi, J.)

<u>CQ</u>(3/3) Hon'ble sussice Sari A. H. Joshi (Chalman)

APPEARANCE:

Advocate or 2% Applicant

Shoring S Suryaway CPOPO, for the Paspend

Add 130 to ____ 10/9/2018

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Deiginal Application No.	o f	20	DISTRICT
J. Milaitippioamon 1.00			Applicant/
Advocate	***************)	1
		versus	
•	The State o	f Maharashtra and others)
	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		Respondent
(Presenting Officer)	
Office Notes, Office Memorate Appearance, Tribunal's of directions and Registrar's	rders or 💎 🕟	Tribun	al's orders
		03.08.2018	
•		O.A 404/2	018
		Shri V.P Pawar	Applicant
		Vs. The State of Maharashtra	•
			cant. Heard, learned advocate hana B.K, learned P.O for the
	·	2. Learned P.O 1 Time granted.	prays for time for filing reply
DATE: 3/8/2018 COSAM: Hon'ble Justice Smi A. H. Joshi (Chair		3. \$.0 4.9.2018.	>
APPEARANCE: Shrivene Thene for th	<u>copplicant</u>		Sd/- (A.H Joshi U.)
share for the applicant	K.	· Akrı	Chairman
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Original Application No.	of 20 Distr	SC T
		Applicant/s
(Advocate)	
	versus	
The State	of Maharashtra and others	
		Respondent/s
(Presenting Officer		
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	03.08.2018	
	O.A 1084/2017	
	Shri Y.J Medhekar Vs.	Applicant
<i>,</i>	The State of Maharashtra & Ors	Respondents
	None for applicant. Hear learned P.O for the Respondents.	d Smt K.S Gaikwad,
	2. Admit. To come for hearing	g in due course:
DATE 3/8/2018		λ ,
CORATA : Northe Justice Shri A. H. Justi (Chairman)		Sd/-
APPEARANCE:		(A.H Jöshk, J.) Chairman
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minisme: Kas Gericula		
C.P.O/P.O. for the Respondents		
To come for hearing in		·
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(Advocate	,		
(MOVICAGE			
	versus		
The St	ate of Maharashtra and oth	ners	
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			Respondent/s
(Fresenting Officer		-	Respondent/s

03.08.2018

O.A 832/2018

Shri R.L Borase & Others ... Applicants Vs.

The State of Maharashtra & Ors Respondents

- 1. Heard Shri A.A Gharte, learned advocate for applicant and Ms Savita Suryavanshi, learned P.O for the Respondents.
- 2. Learned advocate for applicant states that Applicant no. 2 has been appointed and therefore his name may be deleted from array of application. Request granted.
- 3. Name of applicant no. 2 be deleted from the array of application.
- 4. After hearing it has transpired that the cause of justice would be served, if Respondents no 4 and 5 are directed to perform following exercise.
- (i) They shall scrutinize the eligibility of candidates for appointment of Health Worker, Male, Group-C for selection in 50% quota of open category, Male, by conducting one more counselling session
- (ii) If they find that certain eligible candidates are found, they shall proceed in accordance with law without being affected by pendency of O.A
- 5. S.O to 28.8.2018.
- 6. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.

Sd/-

(A.H Joshi J.) Chairman

DATE: 3/8/2018
CORAM:

APPLAGANCE:
A.A. Shevat

Advocate for the Applicant

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Original Apolication No.	Distri	cr Applicant/s
Advocate)	
	versus .	
The State	of Maharashtra and others	
		Respondent/s
Presenting Officer		
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	03.08.2018	
	O.A 873 /2018	
	Shri P.J Ingawale	Applicant
	Vs. The State of Maharashtra & Ors	Respondents
	Heard Shri R.G Panchal, applicant and Ms Kranti S. Gaik	
	the Respondents.	
9/8/2018 CORALL	2. Learned P.O prays for tin whether reply for and on behalf o	
Horride Justice Shri A. H. Joseff (Chairman) APPEARANCE: Shrisht 12.6 PShUha	3. S.O 28.8,2018.	
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Sharam K.S. Gerkwed		(A.H Joshi J.) Chairman
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Original Application No.	of 20	DISTRICT	
		•	Applicant/s
(Advocate		•	
	versus		
The S	State of Maharas	thtra and others	
		•	Respondent/s
Fresenting Officer	•	1	,
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	03.08.20	018	
		O.A 470 /2018	
		S Radiye & Others	Applicants
	The Stat	e of Maharashtra & Ors	Respondents
] 1. H	leard Shri G.A Bandiwadeka	r, learned advocate
	1 .	cant and Ms Śwati Manche	
	for the R	espondents.	
DA E : 3/8/2018	· }	earned C.P.O prays for a weeline granted.	ek's time for filing
Hon'the Justice Shri A. H. Joshi (Chalinnan)			0
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Smiller G.A. Bandi Wadele	er l		
Apvoraka for the Applicant		-	Sd/-
SP. MMChcker CDC1PO to the Respondents	Akan		(A.H Joshi, J.) Chairman
MISO 0 12/8/2018			

Original Application No	₹ 20		DISTRICT	
(Advocate	1 168-e ese)		Applicant/
		versus		
The State	of Ma	aharashtra and othe	ers	
(Presenting Officer)		Respondent/s
Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders			nal's orders	
	D a	t e : 03.08.2018.		··
		O.A	.No.872 of 2017	
	S.P. Ver	. Kadam		Applicant.
		State of Maharashtra	a & Ors.	Danie
	1. for S Shri		adam, the learne ned Advocate fo	Respondents. d Advocate holding r the Applicant and ing Officer for the
DATE 3(8/18 CORAM	2.	Adjourned to 07.08	3.2018.	·
Hon'ble Shri P.N. DIXIT (Member) A			Sd/-	·
AFFEARANCE: Sin/Sint M. B. Ladam, holding NOW S.S. Dere Advocate for the Applicant	prk		(P.N. Dixit) Member(A	
Adj./S.O. to 7/8/18				

ORIGINAL APPLICATION NO.717 OF 2018

R.M. Shinde

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri M.B. Kadam, the learned Advocate for the Applicant

Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

CORAM

: Shri P.N. Dixit, Hon'ble Member(A)

DATE

: 03.08.2018.

ORDER

- 1. Heard Shri M.B. Kadam, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
- Issue notice before admission returnable on 27.08.2018.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is 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.
- 5. This intimation/notice is ordered under Rule 11 of the Manarashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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. Applicant is directed to file Affidavit or compliance and notice.

In case notice is not collected within three days or service report on affidavit is not

filed 3 days before returnable date. Original Application shall stand dismissed without

reference to Tribunal and papers be consigned to record.

8. Applicant was transferred on 08.06.2018. Respondent No.1 transferred the

applicant from Nandurbar to Nashik. Accordingly he joined on the post at Nashik on

28.06.2018. Thereafter on 27.07.2018 impugned order (page 13) was issued extending his

stav at Nandurbar and Respondent No.2 was posted in his place at Nashik.

a. Applicant has given representation on 30.07.2018 to the Respondent Np.1 stating

that he has completed four years at Nandurber. He is due to retire in another three years.

Therefore his transfer at Nandurabar may be cancelled.

10. Learned C.P.O. for the Respondents Ms. S.P. Manchekar produces original record

inspected by learned Advocate for the Applicant. According to the same the Hon'ble

Minister Shri Jaykumar Rawal has issued the letter on 12.06.2018 requesting for extension

of the applicant at Nandurbar.

11. In view of the foregoing Respondents may consider the representation of the

Applicant and decide the same in four week's. The decision, if any taken earlier may be

communicated to the Advocate and Applicant immediately. Request for interim relief is

kept under consideration.

Steno copy and Hamdast is allowed

13. S.O.to 27.08.2018.

Sd/-

(P.N. Dixit)

Member(A)

prk

ORIGINAL APPLICATION NO 103 OF 2018

DISTRICT:

Shri R.S Gaikwad

)...Applicant

Versus

The State of Maharashtra & Otners

)...Respondents

Shri V. Tayade, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

CORAM : Shri Justice A.H Joshi (Chairman)

DATE : 03.08.2018

ORDER

- 1. Heard Shri V. Tayade, learned advocate for applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.
- 2. In the midst of hearing Snri Nitin G. Wakekar, Senior Clerk in the office of Director General of Police, Mumbai was to testify on oath
- 3. Learned P.O is being instructed by Shri Nitin G.Wakekar, Senior Clerk in the office of Director General of Police, Mumbai. He is directed to step into witness oox to answer some questions. He is administered oath and his statement is recorded.



- 4. Learned P.O was called to take instructions on the factual aspect and policy matter on following points:-
 - (a) The type writing machines are not actually in use in the office of D.G.P
 - (b) Whether it shall be reasonable to insist upon passing of type writing examination in case the candidate has already passed MSCIT and he actually performs the job of Data Entry of letter transcription, whether insistence on passing of typewriting examination would be just and fair?
- 5. Learned P.O prays for time for taking instructions.
- 6. List O.A for final hearing on 9.8.2018.
- 7. Steno copy and Hamdast is granted.
- 8. Learned P.O is directed to communicate this order to the Respondents.

(A.H Joshi, J.) Chairman

Place: Mumbai Date: 03.08.2018

Dictation taken by: A.K. Nair.