

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> <u>4/8/17</u></p> <p><b>CORAM:</b>  <del>Shri. Mr. Shri. RAJIV AGARWAL</del>  (Vice-Chairman)  <del>Shri. Mr. Shri R. B. MALIK (Member)</del></p> <p><b>APPEARANCE:</b>  Smt./Smt. : <u>Punam Mahajan</u>  Advocate for the Applicant  Shri/Smt. : <u>Archana B.K.</u>  C.P.O./P.O. for the Respondents  order passed in the</p> <p>Adj. To.....  Tribunal's column.</p> <p><i>[Signature]</i></p>	<p><b><u>O.A. No.470 of 2017</u></b></p> <p><b>Smt. C.P. Salokhe</b> ... Applicant</p> <p><b>V/s.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p><b><u>Speaking to Minutes.</u></b></p> <p>Heard Smt Punam Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.</p> <p>After some arguments in the matter, the learned Advocate for the Applicant submits that she does not want to press the proceedings to Speaking to Minutes. <u>Filed.</u></p> <p>Sd/-  (R.B. Malik)  Member (J)  04.08.2017</p> <p>(vsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ District \_\_\_\_\_ Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> _____</p> <p><b>CORAM:</b> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>Punam Mahajan</u> Advocate for the Applicant Shri/Smt. : <u>A.J. Chougule</u> C.P.O./P.O. for the Respondents  Adj. To <u>S.O. to 24/8/17.</u> <u>Hamdast.</u></p>	<p style="text-align: center;"><b><u>O.A.443/2017</u></b></p> <p><b>Mr. D.S. Patil</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>This OA disputing the order of suspension has become Part Heard. As the arguments of the learned Advocate for the Applicant proceed, it appears that, in as much as the order of suspension was made on 11<sup>th</sup> May, 2017, it is just about close to three months that have elapsed and the review of the suspension by the Committee which must have been constituted in accordance with the G.R. dated 14<sup>th</sup> October, 2011, as to make review. The OA shall remain pending and in the meanwhile, I direct that the Suspension Review Committee do take a review of the suspension of the Applicant within two weeks from today and communicate its outcome within three working days thereof to the Applicant. The said Committee is requested to bear the fact in mind that, even in the normal circumstances, the Applicant is set to retire in April, 2018. A copy hereof be forwarded to the concerned Department through Respondent No.2. The OA is now set down for further hearing, depending upon the outcome of the above course of action to 24<sup>th</sup> August, 2017.</p> <p style="text-align: right;">S.O. to 24<sup>th</sup> August, 2017. Hamdast.</p> <p style="text-align: right;">Sd/- (R.B. Malik) 4 8 17 Member (J) 04.08.2017</p> <p>(skw)</p>

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

Tribunal's orders

O.A. 724 of 2017 with M.A.328/17 with O.A. 725, 726, 727/17 with O.A. 728/17 with M.A.329/17 with O.A.729/17 with M.A.330/17 with O.A.730/17 with M.A.331/17 with O.A.731/17 with M.A.332/17 (D.B.)

**Shri S.B. Ahire & Ors. ... Applicants**  
**V/s. ... Respondents**  
**The State of Mah. & ors. ... Respondents**

Heard Shri Patekar holding for Shri A.G. Ambetkar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned P.O. for the Respondents.

The M.P.S.C. has not been served so far. The examination is appointed on 13.08.2017. The last date for hall tickets is today. However, in my opinion, that not be the last word, if it a case worth giving the relief. The directions can be given to the Applicants. The Applicant must serve the M.P.S.C. during the course of the day.

Issue notice returnable on 09.08.2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 09.08.2017. Learned P.O. do waive service.

Sd/-  
(R.B. Malik) 7.08.17  
Member (J)  
04.08.2017

DATE: 4/8/17

CORAM:  
~~Shri. Shri. RAJIV AGARWAL~~  
~~(Vice-Chairman)~~  
Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:  
Shri/Smt. Shri. Patekar holding  
for A.G. Ambetkar  
Advocate for the Applicant  
Shri/Smt. K.B. Bhise  
C.P.O./P.O. for the Respondents

Adj. To S.O. to 9/8/17

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO. 737 of 2017 (DB)

**Smt. Snehal J. Mohite**

**... Applicant**

**V/s.**

**The State of Mah. & ors.**

**... Respondents**

Shri Shrikant Patil, the learned Advocate for the Applicant  
Shri K.B. Bhise, the learned P.O. for the Respondents

**CORAM : Shri R.B. Malik, Member (J)**  
**DATE : 4<sup>th</sup> August, 2017**

**ORDER**

Heard Shri Shrikant Patil, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri D. Tawade, Under Secretary, M.P.S.C. and Shri G.K. Kamble, Assistant Desk Officer, M.P.S.C. Mumbai.

Having heard the rival submissions for quite some time for interim relief, I find that the Applicant belongs to NT(B) category. For that category there was no reservation. In so far as the dispute at this stage is as to whether the Applicant could be considered to be a candidate from 'open general' or 'open female'. The learned P.O. tried his very best to convince me that it is a case of 'open general'. I express no opinion, least of all verdict thereabout at the moment here, I am at interim stage and I find that the facts are such where the Applicant will have to be allowed to participate in the examination which is due for 06.08.2017. It is no doubt true that the preliminary examination in which the Applicant was for all practical purposes held disqualified was dated 01.07.2017. In my opinion, although the learned P.O. strongly relies upon this circumstance of delay that cannot be a thumb rule or the formula of universal application. In the context of the present facts, I am convinced that almost impossible situation could arise if 06.08.2017 gets crossed without the Applicant being granted interim relief. I had pointedly asked the learned P.O. as to whether there was any alternative whereby the Applicant would be safeguarded. On instruction, the learned P.O. told me that he could not make any statement at all in that behalf. The learned P.O. relies

upon the interim order in the matter of **O.A. No.713/2017 D.R. Chavan & Ors. V/s. The State of Maharashtra & Ors, dated 02.08.2017** made by the 1<sup>st</sup> Bench of this Tribunal where interim relief was refused. I have carefully perused that order and I am satisfied that the facts therein and context were entirely different when compared herewith.

I direct the Respondent No.3 to let the Applicant appear for the examination schedule for 06.08.2017 for the post of Assistant Motor Vehicle Inspector but the result of the Applicant be not declared till such time as any further orders given by this Tribunal. The said Respondent shall make it clear that all successful candidates that this order has been made by this Tribunal, in this OA.

The M.P.S.C. shall accept the online application of the Applicant, if made by 05.08.2017 (office hours). Hamdast.

Issue notice returnable on 24.08.2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 24.08.2017. Learned P.O. do waive service.

Sd/-

**(R.B. Malik)**  
**Member (J)**  
**04.08.2017**

4.8.17

**O.A. No.386 of 2017**

**Smt. S.S. Saranjame** ... Applicant

V/s.

**The State of Mah. & ors.** ... Respondents

Heard Shri A.S. Suryawanshi, the learned Advocate for the Applicant and Ms N.G. Gohad, the learned P.O. for the Respondents.

Reserving the right of the Applicant to renew the request for interim relief on the next date or any date subsequent thereto issue notice returnable on 24.08.2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 24.08.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik)  
Member (J) 4-8-17  
04.08.2017

(vsm)

DATE: 4/8/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~

(Vice-Chairman)

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

APPEARANCE:

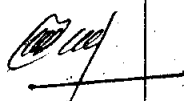
Shri/Smt. A.S. Suryawanshi

Advocate for the Applicant

Shri/Smt. Ms. N.G. Gohad

C.P.O./P.O. for the Respondents

Adj. To S.O. to 24/8/17



**O.A. No.735 of 2017**

**Shri R.R. Koli**

**... Applicant**

**V/s.**

**The State of Mah. & ors.**

**... Respondents**

Heard Shri M.B. Kadam, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.

Issue notice returnable on 24.08.2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 24.08.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik) 04.08.17  
Member (J)  
04.08.2017

**DATE:** 4/8/17

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. M. B. Kadam

Advocate for the Applicant

Shri/Smt. Archana B.K.

C.P.O / P.O. for the Respondents

Adj. To S.O. to 24/8/17.

O.A. No.718 of 2017

**Shri S.G. Palkar** ... Applicant  
V/s.  
**The State of Mah. & ors.** ... Respondents

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

Reserving the right of the Applicant to renew the request for interim relief and making it clear that prima-facie whatever has been heard from the learned P.O. on instructions from Shri Vijay B. Bhagat, Head Clerk, Supt. Of Police, Raigad, made me unsatisfied about the justification of not granting the interim relief still as and by way of last chance the Affidavit-in-Reply must be filed on the next date neither the long date will be given nor any further adjournment will be granted.

Issue notice returnable on 09.08.2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

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S.O. to 09.08.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik) 4.8.17  
Member (J)  
04.08.2017

DATE: 4/8/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

C.P.O./P.O. for the Respondents

Adj. To S.O. to 9/8/17.



IN

**FARAD CONTINUATION SHEET NO.**

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

Tribunal's orders

**O.A. No.734 of 2017**

**Shri B.R. Patil** ... Applicant

V/s.

**The State of Mah. & ors.** ... Respondents

Heard Shri M.B. Kadam, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

The Applicant was Group 'C' employee who has retired on 31.12.2014. I have considered the issue of grant of interim relief in so far as the recovery is concerned and reserving the right of the Respondents to seek any verification, modification or even vacation of this order as of today, I direct that the impugned order of recovery is stayed till further order.

S.O. to 24.08.2017.

Sd/-

(R.B. Malik) 04  
Member (J)  
04.08.2017

**DATE:** \_\_\_\_\_

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. : .....

Advocate for the Applicant

Shri/Smt. : .....

C.P.O./P.O. for the Respondents

Adj. To.....

(vsm)