

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

**M.A.NO.472 OF 2018
ORIGINAL APPLICATION NO.394 OF 2018**

Mr. Santosh Bapurao Rathod & Ors.

.....Applicants

VERSUS

The State of Maharashtra & Ors.

.....Respondents.

Shri Mangal Bhandari along with Shri K.R. Jagdale and Shri Mangesh Deshmukh, learned Advocates for the Applicants.

Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman
Shri P.N. Dixit, Member(A)

DATE : 04.10.2018.

PER : Justice Shri A.H. Joshi, Chairman

ORDER

1. Heard Shri Mangal Bhandari along with Shri K.R. Jagdale and Shri Mangesh Deshmukh, learned Advocates for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant Shri Mangal Bhandari states that :-
 - (a) The Director General of Police has not supplied to the Applicants/ their Advocate the list of 154 candidates who shall be affected due to any order which may be passed in present O.A. and M.A..
 - (b) Applicants have on their own from record of O.A. attempted to ascertain the names of candidates who may be affected and have arrayed them as respondents.
 - (c) Today present M.A. is circulated for hearing on interim relief, taking liberty to do so in view of leave granted by Hon'ble High Court in Writ Petition No.2797/2015, which order is so far not signed and uploaded.

3. It is a matter of record that this Tribunal had issued a notice for final disposal returnable on 25.10.2018, and it is reported that added respondents have been served.
4. Learned Advocate for the Applicant wants to advance submissions for ex-party interim relief. It is considered necessary to issue fresh notice on present M.A..
5. Hence, issue fresh notice on present M.A. returnable on 25.10.2018, in view that none appears for added respondents.
6. Notice must state that Tribunal may take the O.A. itself for final disposal forthwith and separate notice for final disposal shall not be issued.
7. 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 M.A.. Respondents are put to notice that the M.A. and O.A. would be taken up for final disposal at the stage of admission hearing.
8. 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.
9. 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.
10. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
11. Hearing for ex-parte interim relief had commenced. In the midst of hearing, learned Advocate Shri Kadam appears and states that he is mentioning for learned Advocate Dr. Gunratan Sadavarte and states that learned Advocate Dr. Gunratan Sadavarte has instructions from few amongst added Respondents and prays for time for reply, hearing etc..

12. Upon enquiry Shri Kadam is not able to state the names and / or number of Respondents from whom he is going to receive vakalatnama. Learned Advocate Shri Kadam states that he is not aware of the exact position as to who has forwarded / are sending vakalatnama for engaging learned Advocate Dr. Gunratan Sadavarte. In this background, let fresh notice be served on all the added Respondents.

13. In the aforesaid background, hearing of M.A. for interim relief has proceeded for consideration of ex-parte ad interim relief.

14. Learned Advocate for the Applicant has advanced submission to support applicant's prayers as follows :-

(a) Though Scheduled Caste, Scheduled Tribes, De-Notified Tribes(A), Nomadic Tribes(B), Nomadic Tribes(C), Nomadic Tribes(D) and Special Backward Classes, is held intra vires, the Government Resolution dated 25.05.2004 has been struck down being ultra vires.

(b) In clause 3 of the operative order, Hon'ble High Court in Writ Petition No.2797 of 2015 with Civil Application No.2301 of 2015 and Civil Application No.2531 of 2015 and Civil Application No.161 of 2016 in Writ Petition No.2797 of 2015 dated 04.08.2017, ordered as follows :-

"3. It is clarified that since GR dated 25 May 2004 is struck down, consequential direction is issued to the State Government to take necessary corrective steps/ measures in respect of promotions already granted, within 12 weeks from today, which direction is necessitated in view of the order dated 28 March 2008 of the Supreme Court modifying the interim relief of this Court dated 9 March 2007, by which the promotions were made subject to the final decision in the old Writ Petition No.8452 of 2004."

(Quoted from page 186 & 187 of the paper book of O.A.)

(c) Time granted by Hon'ble High Court for taking corrective measure was of 12 weeks. This duration was further enlarged by another 12 weeks only.

(d) The time limit fixed by Hon'ble High Court has not been enlarged thereafter nor the order passed by Hon'ble High Court in the group of said Writ Petitions has been stayed by Hon'ble Supreme Court.

(e) In the result, the Government ought to take corrective measures as ordered by Hon'ble High Court.

- (f) There is no grievance about 32 candidates, out of 186 candidates as they are sent for training of PSI, due to their merit ranking they are eligible for promotion in open competition category, though they belong to Caste / Tribe etc. for whom reservation may be provided.
- (g) The action of respondents in sending 154 candidates (out of the batch of 186 candidates) who are belonging to reservation category and they do not stand any chance in open merit for training is illegal and is in violation of the liberty available under Article 16(4) of the Constitution of India and in view of the final judgment and order passed by the Hon'ble High Court in Writ Petition No.2797 of 2015 as is confirmed by Hon'ble Supreme Court.
- (h) The Government wrote letter to the Director General of Police (dated 18.10.2017, Exhibit-J, page 188) and *inter alia* directed as follows :-
 - (i) 154 candidates along with 32 meritorious from Scheduled Caste / Scheduled Tribe reservation category referred therein be appointed.
 - (ii) 154 candidates (out of 186 candidates) who were appointed on the basis of the extant policy of Government and during life time of the Government Resolution (which Government Resolution was eventually quashed by Hon'ble High Court) be continued subject to outcome of Special Leave Petition carried by the State against judgment of Hon'ble High Court.
- (i) Now by deciding the larger issue, and by upholding earlier view and the precedent case of **M. NAGARAJ V. UNION OF INDIA**, Hon'ble Supreme Court has impliedly upheld the judgment of Hon'ble High Court, Bombay in the aforesaid case.

15. In the premises of arguments as advanced, learned Advocate for the Applicant has prayed for reliefs :-

- (i) That injunction be clamp against State by restraining the State from permitting 154 candidates out of 186 candidates to be sent for services as Probationers, on the post of Police Sub Inspector.
- (ii) The mandatory direction be issued that applicants be send for training and upon successful completion they be granted opportunity to serve as probationary.

16. Learned C.P.O. for the Respondents has very strongly and fervently opposed reliefs prayed by applicants by urging following points :-

(a) Hon'ble Supreme Court did not stay the operation of judgment of Hon'ble High Court, consequently the Government was left free to act according to its own discretion.

(b) The Government had enacted law for grant of reservation in promotion. This Legislative Act itself evidences the need of granting opportunity of reservation to Government servants belonging to various castes etc.

(c) Therefore, the Government has taken decision to send candidates for training after pondering on the issue and after lot of deliberations.

(d) Law – Reservation Act conferring on the Government the power to take affirmative act is held valid and now it is only the matter of course to be adopted.

(e) Government is ahead half way through in the process of decision making in compliance of the requirement of Reservation Act, and substitution of policy and fresh action. Therefore the Government cannot be blamed either for an act of contempt or any act of omission or willful disobedience.

(f) Therefore there does not exist any emergency or urgency of hearing of present M.A. and the same may be dismissed deferred.

17. Now this Tribunal has to examine as to whether and what relief can be granted to the applicants.

18. Legality of the action of Government in initially sending 154 out of 186 candidates for training of Police Sub Inspector's post may be argued before us to be legal, is ex-facie erroneous. However continuing those for training after 24 weeks, from the date of judgment of Hon'ble High Court in Writ Petition No.2797 of 2015 is added act of open defiance of the order of Hon'ble High Court. This appears to be so because even a lay person knows that the failure of Government to act was wrong and failure to take corrective action is an overt act of illegality unconstitutional action, and simultaneously a Contempt too.

19. In the background of rival submissions what emerges as a course available for the Government, prima facie, appears to be the following :-

- (a) In view of the decision of Hon'ble Supreme Court in case **of JARNAIL SINGH & OTHERS VERSUS LACHHMI NARAIN GUPTA & OTHERS, Special Leave Petition (Civil) No.30621 of 2011 & Ors. decided on 26.09.2018**, though it is competent to take affirmative action after ascertaining quantifiable data for implementing the judgment of Hon'ble High Court, as it has emerged quickly and without loss of time whatsoever, punctually and without delay.
- (b) To obediently submit to the orders of Hon'ble High Court and Hon'ble Supreme Court and comply with the direction contained in Clause (3) of operative order in Writ Petition No.2797 of 2015 quoted to in forgoing paragraph 14(a).
- (c) Not to tinker with the orders of Hon'ble High Court.
- (d) The stand of the Government is of showing courage of falling in open contempt of order of Hon'ble High Court.
- (e) As it is well known that Contempt would be matter between Contemnor and the Hon'ble High Court, we therefore halt at foregoing observations and say nothing more as far as aspect of contempt is concerned.

20. Unless and until the quantifiable data is made available on record, the occasion and event of taking the power to reserve specified number of posts in promotional avenue, furtherance for advance of Reservation Act amounts, to an open defiance of constitutional mandate.

21. In the aforesaid background the choice before this Tribunal is either to :-

- (a) Wait till the candidates who are served with the notices of present O.A. till the date of hearing which is notified to them,
- (b) Proceed to pass ex-parte order against the Government which may in turn adversely affect the candidates.

22. Present is not the case where in like the aspect of balance of convenience which is considered in the property matters would be the guiding factor.

23. Present is the case where the balance of convenience qua the constitutional mandate and the mandatory order of Hon'ble High Court is being violated, and openly disobeyed showing least sense of respect and responsibility to the orders of Hon'ble High Court and to the rule of law and rule of justice, is brought to our notice.

24. It has therefore become necessary to pass appropriate order which will proceed to advance the cause of justice and act to maintain prestige of law and constitutional courts, the constitutional mandate and due process of law.

25. In so far as applicant's prayer for directions to send them for training as a corrective measures, is concerned, it would be in the fitness to give to the Government an opportunity to have corrective action taken at their own level for which this Tribunal can wait up to the scheduled date for hearing i.e. 25.10.2018.

26. In any case, applicants if they stand the choice on merit to send them for training, for all purposes they would be governed by the statutory rules of fixing of *inter se* seniority of candidates belonging to one and same batch as per seniority rules.

27. Hence we proceed to pass the following ex parte ad interim order with notice to the respondents to show cause as to why the order should not be made absolute, apart from other reliefs, viz :-

- (a) 32 reserved category candidates out of 186 in open merit competition (out of 186 candidates), stand protected.
- (b) All such candidates who have been sent for training for Police Sub Inspector's post i.e. 154 (out of 186) in number who are amongst added respondents, who are chosen for promotion for filling in vacancies by promotion of candidates belonging to category for whom reservation is provided, shall not be given any benefits of training which they have undergone.
- (c) Government shall be free to restore 154 candidates to the posts from which they were sent for training or at any posts, or keep them waiting at the choice of State and candidates however State shall not do anything, which shall amount to recurrent violation of the order of Hon'ble High Court Writ Petition No.2797/2015 shall be done.

(d) The Respondents are directed that before next date they shall prepare and produce before us, a list of open competition candidates who shall stand chance of selection for sending for training for filling in 154 vacancies which shall occur upon taking corrective measure.

(e) Respondents are also put to notice that O.A. itself may also be taken for final disposal on next date i.e. on 25.10.2018.

28. Steno copy and Hamdast is allowed.

29. Learned P.O. is directed to communicate this order to the Respondents.

30. S.O. to 25.10.2018.

31. O.A.No.409 of 2018 and O.A.No.470 of 2018 be heard with present O.A.No.394 of 2018.

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

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

prk

**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>DATE : <u>4/10/18</u></p> <p>CORAM : Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>M.T. JOSHI,</u> <u>Vice Chairman.</u></p> <p>APPEARANCE: <u>Shri/Smt. S.D. Chauhan</u> Advocate for the Applicant</p> <p><u>Shri/Smt. Anurag B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>29/10/18</u></p>	<p style="text-align: center;"><u>O.A.194/2017</u></p> <p>Mr. I.M. Pathan & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri S.D. Chavan, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned P.O. for the Respondents.</p> <p>2. The learned P.O. has already filed on record a communication dated 23.03.2018 (marked as 'X'). It would show that, though the present Applicants have become eligible for grant of Assured Career Progression Scheme w.e.f. 1st October, 2006, the amount under the said benefit are ordered to be disbursed w.e.f. 1st April, 2010.</p> <p>3. The learned P.O. however submits that there is another communication which would show that the Government has taken a decision to grant the amount from due date. The learned P.O. seeks time to make elaborate position.</p> <p>4. The learned Advocate for the Applicants on instructions from the Applicant, who is present in the Court submits that, in fact, the amount is disbursed w.e.f. 1st April, 2010 and not from due date. The learned Advocate further submits that, some of the Applicants are even yet to be paid the same benefit.</p> <p>5. On the request of learned P.O. to verify the facts and to make statement, S.O. to 29th October, 2018. To act on Steno-copy.</p> <p style="text-align: right;">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.32 OF 2018 IN
ORIGINAL APPLICATION NO.1044 OF 2015

Dr. S.S. DusaneApplicant.
Versus
The State of Maharashtra & Ors.Respondents.

Shri M.D. Lonkar, the learned Advocate for the Applicant.

Smt. Archana B.K., the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman
Shri P.N. Dixit, Member(A)

DATE : 04.10.2018.

PER : Justice Shri A.H. Joshi, Chairman

ORDER

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. Dr. Pradeep Vyas, Principal Secretary, Public Health Department who is named as Contemnor is called to show cause as to why he should not be personally saddled with costs for failure to respond to notice dated 25.08.2018, Exhibit-C, page 17. Dr. Pradeep Vyas, Principal Secretary is also called to show cause as to why cognizance of contempt should not be taken against him.
3. Issue notice before admission returnable on 30.10.2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of C.A.. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Contempt Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. Contempt Notice with reference of paragraph 2 be replied on or before 30.10.2018.
10. Steno copy and Hamdast is allowed.
11. Learned P.O. is directed to communicate this order to the Respondents.
12. S.O. to 30.10.2018.

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

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

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.31 OF 2018 IN
ORIGINAL APPLICATION NO.102 OF 2016

Dr. T.A. Jadhav

...Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

Shri M.D. Lonkar, the learned Advocate for the Applicant.

Smt. Archana B.K., the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman
Shri P.N. Dixit, Member(A)

DATE : 04.10.2018.

PER : Justice Shri A.H. Joshi, Chairman

ORDER

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. Dr. Pradeep Vyas, Principal Secretary, Public Health Department who is named as Contemnor is called to show cause as to why he should not be personally saddled with costs for failure to respond to notice dated 25.08.2018, Exhibit-C, page 12. Dr. Pradeep Vyas, Principal Secretary is also called to show cause as to why cognizance of contempt should not be taken against him.
3. Issue notice before admission returnable on 30.10.2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of C.A.. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Contempt Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. Contempt Notice with reference of paragraph 2 be replied on or before 30.10.2018.
10. Steno copy and Hamdast is allowed.
11. Learned P.O. is directed to communicate this order to the Respondents.
12. S.O. to 30.10.2018.

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

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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<p><u>DATE :</u> <u>4/10/2018</u></p> <p><u>CORAM :</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (M/A)</p> <p><u>APPEARANCE :</u> Shri Patil with Shri A.A. Desai Ld Advocate for the Applicant (O.A. 1083, 1186 & O.A. 1035/17) Shri/Smt. S.P. Manchekar Ld. S.P.O. with C.P.O. for the Respondents/ Smt. K.S. Gaikwad for the Resp. Adj. S.O. to Shri S.S. Dere Ld. Adv. for the R. No. 4 to 13. Shri N.P. Dalvi's pl. counsel for M.P.S.C. Removed from board with liberty to circulate. BTE</p>	<p>Date : 04.10.2018.</p> <p>O.A.No.1083 of 2017 with O.A.No.1186 of 2017 with O.A.No.165 of 2018 with O.A.No.1035 of 2017</p> <p>V.S. Wayagankar & Ors. (O.A.1083/2017) S.D. Kumbhare & Ors. (O.A.1186/2017) S.N. Nyahare (O.A.165/2018) S.D. Kumbhare (O.A.1035/2017)Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S. Patil with Shri A.A. Desai, the learned Advocates for the Applicants in O.A.No.1083/2017 and O.A.No.1186/2017, Shri C.R. Nagare, the learned Advocate for the Applicant in O.A.No.165/2018, Shri A.A. Desai, the learned Advocate for the Applicant In O.A.No.1035/2017, Ms. S.P. Manchekar, the learned Chief Presenting Officer with Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents, Shri S.S. Dere, the learned Advocate for the Respondents No.4 to 13 and Shri N.P. Dalvi, the leaned Special Counsel for M.P.S.C..</p> <p>2. Removed from board with liberty to circulate.</p> <p align="center">Sd/- (P.N. Dixit) Member(A)</p> <p align="right">Sd/- (A.H. Joshi) Chairman</p> <p align="left">prk</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>4/10/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. M. Dixit (M/J)</p> <p>APPEARANCE: Shri Smt. Dr. Gunratan Sadavarte with Adv. A.V. Bandiwadekar Advocate for the Applicants.</p> <p>Shri/Smt. K.S. Gaikwad with C.P.O./P.O. for the Respondent/s Shri K.B. Bhise Ld. P.O. for the Adj./S.O. to R/S</p> <p>S.O. to 25/10/2018.</p> <p style="text-align: right;">P.M.</p>	<p>Date : <u>04.10.2018.</u></p> <p>O.A.No.1029 of 2014 (O.A.No.678 of 2014 Nagpur) with M.A.No.494 of 2018 with O.A.No.1030 of 2014 (O.A.No.679/2014 Nagpur) with O.A.No.1031 of 2014 (O.A.No.681 of 2014 Nagpur) with M.A.No.495 of 2018 with O.A.No.1031 of 2014 (O.A.No.680 of 2014 Nagpur) with M.A.No.496 of 2018 with O.A.No.1032 of 2014 (O.A.No.681/2014 Nagpur) with M.A.No.497 of 2018 with O.A.No.1033 of 2014 (O.A.No.438 of 2014 Nagpur) with O.A.No.204 of 2012 with O.A.No.1100 of 2013</p> <p>R.S. Bidkar M.D. Sundarkar S.S. Kinhekar J.G. Rohankar V.W. Shelkar S.M. Bansode R.M. Nirmale & Ors.Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Dr. Gunratan Sadavarte, the learned Advocate for the Applicants along with Shri A.V. Bandiwadekar, the learned Advocate for the Applicants, Smt. K.S. Gaikwad, the learned Presenting Officer with Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. O.A. be listed before me (Chairman) sitting singly. This is subject to and only if learned Advocate for the Applicant and learned Presenting Officer for the Respondents agree that the matter may be taken up by the Chairman sitting singly.</p> <p style="text-align: center;">Sd/- (P.M. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (A.H. Joshi/J.) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./B.A./C.A. No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>M.T. Joshi (Vice-Chairman)</u></p> <p>APPEARANCE: <u>A.V. Bandiwadekar</u> Advocate for the Applicant</p> <p><u>Shri/Smt. Ms. S. Suryawanshi</u> C.P.O. for the Respondents</p> <p>Adj/S.O. to <u>30/10/18</u> <u>Hamdast and steno copy</u> <u>allowed.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A.750 & 751/2017</u></p> <p>Mr. R.O. Sable & Anr. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Ms. S.T. Suryawanshi, learned P.O. for the Respondents.</p> <p>2. The learned P.O. submits that the deputation of the present Applicants to Maharashtra Police Academy, Nashik is continued till today. The learned P.O. points towards Exh. 'R-4' (Page 76), which would show that the deputation is cancelled and in fact, the transfer of the present Applicants are made to the said Academy.</p> <p>3. The learned Advocate for the Applicant disputes this fact.</p> <p>4. In the circumstances, both the sides are directed to file documents, if any, available in their custody in support of their respective cases.</p> <p>5. S.O. to 30th October, 2018. Hamdast and Steno-copy allowed.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p align="left">(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE: <u>4/10/18</u></p> <p>CORAM: Honble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>M. T. JOSHI (Vice-Chairman)</u></p> <p>APPEARANCE: <u>Shri R. M. Kolge</u> Advocate for the Applicant</p> <p><u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondent's</p> <p><u>Admit</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.355/2017</u></p> <p>Mr. D.D. Jadhav ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned P.O. for the Respondents.</p> <p>2. Read the papers. Arguable case made out.</p> <p>3. Admit.</p> <p>4. Be placed for final hearing in due course of time. Liberty to file Sur-rejoinder, if any, is hereby granted.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>M. T. JOSHI</u> (Vice-Chairman)</p> <p>APPEARANCE: <u>M. R. Patil</u> Advocate for the Applicant</p> <p><u>A. J. Chougule</u> C.P.O./S.O. for the Respondent's</p> <p>Adj./S.O. to <u>15/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.797/2017</u></p> <p>Dr. P.M. Patil ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri M.R. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents.</p> <p>2. The learned P.O. seeks time to file reply.</p> <p>3. S.O. to 15th October, 2018.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>DATE : <u>4/10/18</u></p> <p>CORAM : Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>M.T. Joshi (Vice-Chairman)</u></p> <p>APPEARANCE: <u>Shri/Smt. A.V. Bandiwadkar</u> Advocate for the Applicant <u>Shri/Smt. A.B. Kololgi</u> C.P.O./P.O. for the Respondent's <u>Admit</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.1015/2017</u></p> <p>Mr. J.B. Kamble ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned P.O. for the Respondents.</p> <p>2. Read the papers. Arguable case made out.</p> <p>3. Admit.</p> <p>4. Be placed for final hearing in due course of time. Liberty to file Sur-rejoinder, if any, is hereby granted.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>4/10/18</u></p> <p>CORAM : Hon'ble Justice Shri <u>A. H. Joshi (Chairman)</u> <u>M. T. Joshi (Vice-Chairman)</u></p> <p>APPEARANCE: <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p><u>A. J. Chougule</u> Shri Smt. C.P./P.O. for the Respondent's</p> <p>Adj./S.O. to <u>23/10/18</u></p>	<p align="center"><u>O.As.1154 to 1158/2017</u></p> <p>Mr. J.P. Patil & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Shri A.J. Chougule, learned P.O. for the Respondents.</p> <p>2. The learned Advocate for the Applicants seeks time to file Rejoinder.</p> <p>3. At his request, S.O. to 23rd October, 2018.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

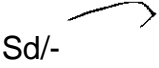
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>4/10/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) M. T. Joshi (Vice-Chairman)</p> <p>APPEARANCE : Shri/Smt. <u>Dheeraj Patil</u> holding Power P.S. Pathak. Advocate for the Applicant</p> <p>Smt. A. B. Kololgi C.P.O./P.O. for the Respondent/s</p> <p>Ad. S.O. to <u>Admit</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.407/2018</u></p> <p>Mr. C.V. Ghare ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri Dheeraj Patil holding for Shri P.S. Bhavake, learned Advocate for the Applicant, Mrs. A.B. Kololgi, learned P.O. for the Respondents 1 to 3 and Shri A.S. Shalgaonkar, Advocate for Respondent No.4.</p> <p>2. Read the papers. Arguable case made out.</p> <p>3. Admit.</p> <p>4. Be placed for final hearing in due course of time. Liberty to file Sur-rejoinder, if any, is hereby granted.</p> <p align="right">Sd/-  (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p align="left">(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice Shri <u>A. H. Joshi (Chairman)</u> <u>M. T. Joshi (Vice-Chairman)</u></p> <p>APPEARANCE: Shri <u>N. D. Thombre</u> Advocate for the Applicant</p> <p>Shri <u>A. B. Kolgi</u> C.P.O./P.O. for the Respondent's</p> <p>Adj. S.O. to <u>29/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.574/2018</u></p> <p>Mr. S.P. Baviskar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri N.D. Thombre, learned Advocate for the Applicant and Smt. A.B. Kolgi, learned P.O. for the Respondents.</p> <p>2. As a last chance, S.O. to 29th October, 2018 for filing Affidavit-in-reply.</p> <p align="right">Sd/- <i>(Signature)</i> (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p align="left">(skw)</p>


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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>4/10/18</u></p> <p>CORAM : Hon'ble Justice Shri <u>A. H. Joshi (Chairman)</u> <u>M. T. Joshi (Vice-Chairman)</u></p> <p>APPEARANCE: Shri/Smt. <u>N. D. Thombre</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A. B. Kololgi</u> C.P.O./P.O. for the Respondent/s</p> <p>Ad./S.O. to <u>29/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.575/2018</u></p> <p>Mr. P.G.Pardeshi ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri N.D. Thombre, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned P.O. for the Respondents.</p> <p>2. As a last chance, S.O. to 29th October, 2018 for filing Affidavit-in-reply.</p> <p align="right">Sd/- </p> <p align="right">(M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) M.T. Joshi (Vice-Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S. Suryawanshi</u> C.P.O. for the Respondent</p> <p>Adj. S.O. to <u>17/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.680/2018</u></p> <p>Mr. S.R. Ahire ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned P.O. for the Respondents.</p> <p>2. The learned P.O. submits that Para-wise comments are received and time is required to file reply. Time granted.</p> <p>3. S.O. to 17th October, 2018.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p align="left">(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice Shri A.H. Joshi (Chairman) M.T. Joshi (Vice-Chairman)</p> <p>APPEARANCE: Leave noted Shri <u>D.B. Khaire</u> Advocate for the Applicant</p> <p>Shri <u>K.B. Bhise</u> P.O. for the Respondent/s holding for <u>N.G. Gohad</u> Adj.S.O. to <u>19/10/18</u></p>	<p align="center"><u>O.A.755/2018</u></p> <p>Mr. V.V. Shinde ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri K.B. Bhise holding for Ms. N.G.Gohad, learned P.O. for the Respondents.</p> <p>2. The learned P.O. submits that Para-wise comments are received and time is required to file reply. Time granted.</p> <p>3. S.O. to 19th October, 2018.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice Shri <u>A. H. Joshi (Chairman)</u> <u>(M.T. Joshi)</u> <u>(Vice-Chairman)</u></p> <p>APPEARANCE: Shri <u>D.V. Sutar</u> Advocate for the Applicant</p> <p>Shri <u>A.B. Kololgi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.786/2018</u></p> <p>Mr. D.R. Jadhav ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri D.V. Sutar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned P.O. for the Respondents.</p> <p>2. The learned P.O. submits that she has information that the grievance of the Applicant is sorted out, as the additional charge given to him is taken away. She further submits that the concrete instructions are yet to be received.</p> <p>3. Therefore, on her request, S.O. to 24th October, 2018 to make submission on the above line.</p> <p align="right">Sd/- → (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> Hon'ble Justice <u>Smt. M.T. Joshi</u> <i>(Vice-Chairman)</i></p> <p>APPEARANCE: <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p><u>Ms. S.P. Manchekar</u> C.P.O. for the Respondent's</p> <p>Adj./S.O. to <u>30/10/18.</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.1131/2017</u></p> <p>Mr. A.V. Chavan ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents .</p> <p>2. The learned P.O. seeks time to file reply, if any, to the amended O.A.</p> <p>3. S.O. to 30th October, 2018. Be placed the matter in due admission caption.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18</u></p> <p>CORAM: Honble Justice Shri A. H. Joshi (Chairman) Honble Justice Shri M. T. Joshi Vice-Chairman</p> <p>APPEARANCE: Shri/Smt.: <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt.: <u>A.B. Kololgi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>6/10/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A.244/2018</u></p> <p>Mr. R.M. Bahule ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned P.O. for the Respondents .</p> <p>2. The learned P.O. submits that the grant of pension is under process. She tenders a copy of the communication received by her from the concerned Respondent. The same is taken on record and marked 'X' for identification.</p> <p>3. S.O. to 6th November, 2018 for reporting the progress.</p> <p align="right">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>

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Office Notes, Office Memorando of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/10/18.</u></p> <p>PRESENT: Honble Justice Sri A. H. Joshi (Chairman) Honble Justice Sri M. T. Joshi <i>(Vice-Chairman)</i></p> <p>APPEARANCE: <u>Sd/- C.T. Chandratre</u> Attorney for the Applicant</p> <p>Sd/- Arachana Kololgi C.T. P.O. for the Respondent's leg. 1. <u>Sd/- B. Deshmukh</u> P.O. <u>Sd/- A. No. 2.</u> None for A. No. 3. <u>S.O. to 30/10/18.</u></p> <p><i>(Signature)</i></p>	<p style="text-align: center;"><u>O.A.911/2016</u></p> <p>Mr. Y.A. Kale ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. A.B. Kololgi, learned P.O. for the Respondent No.1 and Shri B. Deshmukh, Advocate for Respondent No.2. None for Respondent No.3</p> <p>2. Adjourned to 30th October, 2018.</p> <p style="text-align: right;">Sd/- (M.T. Joshi, J.) Vice-Chairman 04.10.2018</p> <p>(skw)</p>