

**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
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Date : 05.07.2016

M.A.No.241 of 2016 in O.A.No.474 of 2016 &
M.A.No.242 of 2016 in O.A.No.493 of 2016 &
M.A.No.243 of 2016 in O.A.No.494 of 2016 &
M.A.No.245 of 2016 in O.A.No.506 of 2016

Shri S.V. Pawar (M.A.No.241 of 2016)

Shri A.S. Sawant (M.A.No.242 of 2016)

Shri R.K. Mokashi (M.A.No.243 of 2016)

Shri R.G. Shaikh (M.A.No.245 of 2016)

....Applicants

Vs.

The State of Mah. & Ors.

....Respondents

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the Applicants Smt. Punam Mahajan seeks permission to withdraw this Misc. Application.

3. Learned Chief Presenting Officer Shri N.K. Rajpurohit has no objection.

4. These four M.A.s are allowed to ^{be} withdrawn and such dismissed for want of prosecution with no order as to costs.

5. O.A. will proceed as per law.

Sd/-

(R.B. Malik)
Member(J)

Sba

(P.T.O.)

5/7/16

Coram - Hon'ble R.B. Malik (M.J)

Smt. Punam Mahajan Adv
for the Applicant

Shri N.K. Rajpurohit CPO
for the Respondents

Heard
order passed in
Tribunal column.

MAs are allowed to
be withdrawn and
such dismissed for
want of prosecution
with no order as to costs.

→

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

Tribunal's orders

Date : 05.07.2016

M.A.No.268 of 2016 in O.A.No.417 of 2016

Dr. R.M. KumbharApplicant
Vs.

Dr. P.S. Awate & Ors.Respondents

1. Heard Shri A.V. Sakolkar, the learned Advocate for the Applicant, Shri A.D. Sonkawade, the learned Advocate holding for Shri D.B. Khaire, for the Respondent No.1 and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents No.2 to 4.

2. Issue notice to Respondent Nos. 2 to 4 returnable on 21.07.2016.

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 Respondent 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 Maharashtra 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 of compliance and notice.

7. The learned Advocate for the Respondent and learned P.O. do waives service hereof.

8. Misc. Application is adjourned to file affidavit-in-reply to 21.07.2016. 1.2

5/7/16

Coram - Honble R.B. Malik
(M-5)

Shri A.V. Sakolkar Adv.
for the Applicant

Shri A.D. Sonkawade
for Shri D.B. Khaire for
the Respondent No.1
Miss N.G. Gohad P.O.
for the Respondent No.2 to 4

Heard.
order passed in Tribunal
Column.

Adjo 21/7/16.

Sd/-

(R.B. Malik)
Member(J)

**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>5/7/16</p> <p>Coram - Hon'ble R.B. Malik (MS)</p> <p>Shri A.V. Sakolkar Adv for the Applicant -</p> <p>Shri A.J. Chougule for the Respondents.</p> <p>Admit. Liberty to mention is granted.</p> <p>⌞</p>	<p>Date : 05.07.2016</p> <p>O.A.No.329 of 2016</p> <p>Shri S.K. KedareApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Or ...Respondents</p> <p>1. Heard Shri A.V. Sakolkar, the learned Advocate for the Applicant and Shri A.J. Chougule , the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri A.V. Sakolkar informs that the Applicant does not want to file affidavit-in-rejoinder.</p> <p>3. O.A. is admitted. Liberty to mention is granted.</p> <p>Sd/- (R.B. Malik) Member(J)</p> <p>Sba</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><u>5/7/16</u></p> <p>Coram - Hon'ble Mr. B. Malik (M.J.)</p> <p>Smt. Punam Mahajan Adv for the Applicant Miss. N.G. Gohad P.O. for the Respondents.</p> <p>Heard.</p> <p>order passed in Tribunal Coram.</p> <p>Adj'd. 21/7/16.</p> <p></p>	<p>Date : 05.07.2016</p> <p>O.A.No.442 of 2016</p> <p>Shri B.D. AgawaneApplicant Vs. The State of Mah. & Ors.Respondents</p> <p>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Smt. Punam Mahajan files affidavit-in-rejoinder. It is taken on record.</p> <p>3. The O.A. is ^{adjourned} assigned for final hearing on 21.07.2016.</p> <p>Sd/- (R.B. Malik) Member(J)</p> <p>Sba</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
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Date : 05.07.2016

O.A.No.441 of 2016 with O.A.No.449 of 2016 with O.A.No.450 of 2016

Shri S.B. Deokar (O.A.No.441 of 2016)
Shri K.P. Pingle (O.A.No.449 of 2016)
Shri N.M. Sarangkar (O.A.No.450 of 2016)
.....Applicants

Vs.

The State of MaharashtraRespondents

Coram - Hon'ble R.B. Malik (m-J)

*Smt Punam Mahajan
Adv for the Applicant
Miss N.G. Gohad P.O.
for the Respondents*

*Heard
order passed in
Tribunal column
admit*

SO No 117/16 F.H'



1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant Smt. Punam Mahajan informs that the Applicants donot want to file affidavit-in-rejoinder.

3. O.A. is admitted and is having been assigned to this bench. It is appointed for final hearing on 11.07.2016.

Sd/-

(R.B. Malik)
Member(J)

Sba

Date : 05.07.2016.

O.A.No.368 of 2015

L.B. Mane

... Applicant.

Versus

The State of Maharashtra & Ors.

... Respondents.

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondent.

2. Learned Advocate Shri R.M. Kolge for the Applicant states that Annexure R-1 referred to in the affidavit-in-reply filed by Respondent No.2, in its paragraph no.9.1 is not annexed to the affidavit-in-reply on record as well as not delivered to the learned Advocate for the Applicant.

3. Learned P.O. Shri A.J. Chougule for the Respondents states that he may be granted two weeks time for enabling him to carry out the necessary compliance.

4. Time is granted.

5. Steno copy and Hamdast is allowed to learned P.O..

6. S.O. to 17.09.2016.

DATE: 5/7/16

CORAM:

Hon'ble Mr. Justice (Chairman)

Hon'ble Mr. Justice (Member) A

Advocate

Shri R.M. Kolge

Advocate

Shri A.J. Chougule

C.P.O.

Adj. To: 17/9/16

Head
order passed in
tribunal column
SO to 17/9/16
steno copy ad
Hamdast is allowed to
learned P.O.

(Signature)

prk

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

IN

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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05.07.2016

O.A No 505/2015

Shri R.B Badgujar ... Applicant
 Vs.
 The State of Maharashtra & Ors... Respondents

Heard Smt Punam Mahajan, learned advocate for the applicant, Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents no 1 to 3 and Shri Ravi Shetty, learned advocate for Respondent no. 4.

Learned Advocate for Respondent no. 4 stated that affidavit in reply will be filed during the course of the day.

Original Application is admitted. Place for final hearing on 11.7.2016, first on Board.

DATE: 5/7/16

CORAM:

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

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

APPEARANCES:

~~Shri Smt. Punam Mahajan~~

Advocate for the Applicant

Shri Smt. N.K. Rajpurohit

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

Akn

(Signature)
 (Rajiv Agarwal)
 Vice-Chairman

~~Adj. to O.A. is admitted.~~
 S.O. to 11/7/16.

FOB

(Signature)

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

Tribunal's orders

05.07.2016

O.A Nos 240 & 336/2015

Shri S.J Wagh & Ors ... Applicants
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Learned P.O is being instructed by Shri S.K. Kothe, Assistant, Public Health Department. The argument aspect in these two O.As as already noted in our order yesterday is almost over. There were orders made by the Tribunal earlier and in the first matter, directions were given that till such time as regularly appointed MPSC candidate was ready to take charge, the Applicant shall not be discontinued or replaced by other ad hoc candidate. In that connection there is an order of the Hon'ble High Court, Nagpur Bench. At this stage, we do not consider it proper to examine the facts in detail. However, despite all this, the action was taken and we were seriously concerned to know as to by whose authority such a decision was taken. Today, a statement is made before us that no regularly appointed MPSC candidate became available to replace the Applicant. Further, it would become clear from our order passed yesterday that the then Learned Member (A) was apparently misled into believing that such an MPSC candidate had become available. We were so concerned as to know as to by whose authority such a statement was made before Learned Member (A).

Today, the Assistant named above is present, but we are not in a position to know the facts which we have detailed hereinabove. We make it very clear that on the next date a categorical statement must be made by some senior officer preferably of the rank of Deputy Secretary or above to remain present to assist us.

Steno copy and Hamdast allowed to both sides during the course of the day.

S.O to 11.7.2016.

(R.B. Malik)
Member (J)

(Rajiv Agarwal)
Vice-Chairman

DATE: 5/7/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.B. Bhise

C.P.O. for the Respondents

Adj. to 11/7/16.

steno copy and
Hamdast Allowed. PH

FARAD CONTINUATION SHEET NO.Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

05.07.2016**O.A No 495/2016**Shri A.D Dalvi ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

Learned Advocate stated that on last occasion this matter was heard on 22.6.2016 when she was present. However, because the name of the Applicant was wrongly mentioned in the cause list, she was marked as absent. The name of the Applicant is Dalvi. However, in the cause list it is shown as Salvi. Office should ensure that this mistake is not repeated. The presence of Mrs Mahajan on 22.6.2016 should be noted.

S.O to 14.7.2016.

DATE: 5/7/16

CORAM:

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

APPEARANCE:

~~Shri/Smt. Punam Mahajan~~

Advocate for the Applicant

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

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

~~Adj. R. S.O. to 14/7/16.~~

Akn

Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

05.07.2016

O.A No 655/2015

Shri D.L Anuse

... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Smt Punam Mahajan, learned advocate for the applicant, Mrs Kranti S. Gaikwad, learned Presenting Officer for the Respondents no 1 to 4 and Shri A.V. Bandiwadekar, learned advocate for Respondents no 5 & 6.

Respondent no. 4, Transport Commissioner present in person, in deference to our order dated 306.2016. The said authority informs that he has since issued a show cause notice to Respondent no. 5 dated 2.7.2016 calling upon him to show cause as to why his services should not be discontinued.

Mrs Mahajan learned advocate for the Applicant seeks a short adjournment for filing an amendment application to bring on record what can be described as subsequent events.

After some debate, it is recorded that the Commissioner of Transport instructs the learned P.O to make a statement that he has no objection in supplying information to the Applicant names of eligible open Ex-servicemen candidates who have been recommended by the MPSC for appointment. His personal attendance for the rest of the day is hereby dispensed with in absence of any other order he need not remain present.

S.O to 19.7.2016.

DATE: 5/7/16

CORAM:

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

Hon'ble Shri. B. MALIK (Member)

APPEARANCE:

~~Shri/Smt. Punam Mahajan~~
Advocate for the Applicant

~~Shri/Smt. K.S. Gaikwad~~
C.P.O. for the Respondents No. 1 to 4.

~~A.V. Bandiwadekar~~
P.O. R. No. 525.

~~Adj. To~~

S.O. to 19/7/16.

(R.B. Malik)
Member (J)

(Rajiv Agarwal)
Vice-Chairman

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

05.07.2016

O.A Nos 229 & 269/2001

Shri D.P Rajput & others ... Applicants
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the applicant in O.A 269/2001 and Mrs Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

Learned Presenting Officer seeks short adjournment for reconstruction of the record. However, the perusal of our order of 6.4.2016 will make it quite clear that the matter was for final disposal and it was recorded that the authorities were ad-idem that the orders made by the Hon'ble High Court now pending W.P no 903/2001 would be binding even on these applicants. However, as of today, the matter stands adjourned with the same remarks to 28.7.2016.

DATE: 5/7/16

CORAM:

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

Hon'ble Shri R. B. MALIK (Member) ✓

APPEARANCE:


Shri/Smt. A.V. Bandiwadekar

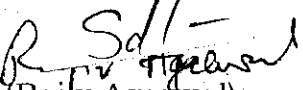
Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

~~Adj. To~~ s.o. to 28/7/16.


Sd/-
5-7-16
(R.B. Malik)
Member (J)


Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn

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

Tribunal's orders

Date : 05.07.2016.

O.A.No.230 of 2016

G.R. Khopkar ... Applicant.

Versus

The State of Maharashtra & OrsRespondents.

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicants and Ms. N.G. Gohad the learned Presenting Officer for the Respondents.

2. Learned P.O. Ms. N.G. Gohad for the Respondents states as the arrears as worked out by the office of the Applicant have been paid to him along with calculation statement.

3. Learned Advocate Shri J.N. Kamble for the Applicant states that he would furnish the representation bringing to the notice of Respondent No.2 the exact deficiencies in the payment.

4. Learned P.O. Ms. N.G. Gohad states that if such representation is received it would be scrutinized and response would be given within two weeks thereafter.

5. In view of the mutual statements, adjourned to 25.08.2016.

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

DATE: 5/7/16

CORAM:

Shri A. H. Joshi (Chairman)
Shri ... (Member)-A

J. H. Kamble

N. G. Gohad

Adj. to 25/8/16. Steno copy for Hamdast allowed.

prk

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>5/7/16</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Justice _____ (Member) A</p> <p>APPEARANCE:</p> <p>Shri _____ Leave note of Adv. V.V. Joshi taken on record.</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.R.O./P.O. for the Respondent's</p> <p>Adj. To <u>9/11/16</u></p> <p style="text-align: right;"><i>BT</i></p>	<p><u>C.A. No.44 of 2014 in O.A. No.364 of 2011</u></p> <p>Shri V.Y. Mokashi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. In view that the leave note is filed by the learned advocate for the applicant, adjourned to 9.11.2016.</p> <p style="text-align: right;">n</p> <p style="text-align: right;"><i>Sd/-</i> (A.H. Joshi, J.) Chairman 5.7.2016</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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<p>DATE: <u>5/11/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. ... (Member) A</p> <p>APPEARANCE: Shri ... <u>None for the appl.</u></p> <p>Shri ... <u>K.B. Bhise</u></p> <p>Ad. To: <u>11/7/16</u></p> <p style="text-align: right;"><u>BE</u></p>	<p><u>C.A. No.41 of 2016 in O.A. No.1225 of 2010</u></p> <p>Dr. S.C. Gupta ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>None for the Applicant. Heard Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that the order is complied with.</p> <p>3. In view of the inordinate delay in complying the order, the matter can be considered only if apology is filed.</p> <p>4. S.O. to 11.7.2016.</p> <p style="text-align: right;"> <u>Sd/-</u> <u>(A.H. Joshi)</u> Chairman 5.7.2016 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. of 20

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<p><u>DATE:</u> 5/7/16</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramasikumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Adv: B.A. Bandiwadkar Advocate for the Applicant Shri/Adv: K.B. Bhise C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: 11/8/16. Steno copy & Hamdast is allowed.</p>	<p><u>O.A. No.171 of 2016</u></p> <p>Shri S.S. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that the affidavit in reply is ready and time is required for affirmation. However, Ld. PO states that it is not neatly drafted and prays for four weeks time for redrafting it.</p> <p>3. S.O. to 11.8.2016.</p> <p>4. Steno copy and hamdast is allowed.</p> <p>(sgj)</p> <p style="text-align: right;">sd/- (A.H. Joshi, J.) Chairman 5.7.2016</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>5/7/16</u></p> <p>COFAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice Shri M. V. Kulkarni (Member) A</p> <p>APPEARANCE: Sd/- <u>B.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Sd/- <u>K.B. Bhise</u> C.P.A./F.A. for the Respondents</p> <p>Adj. To. <u>25/8/16</u> <i>BTE</i></p>	<p><u>O.A. No.325 of 2016</u></p> <p>Shri G.P. Rekulwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions from Shri P.M. Balkavade, Section Officer, Home Department, states that the matter is under consideration and for reporting the stages on the next date prays for six weeks time.</p> <p>3. S.O. to 25.8.2016.</p> <p style="text-align: right;"><i>sdl-</i> (A.H. Joshi, J.) Chairman 5.7.2016</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>5/7/16</u></p> <p>CC: <u>Amrit A. Ghavate</u></p> <p>For the Applicant: <u>Amrit A. Ghavate</u> (Chairman)</p> <p>For the Respondents: <u>K.B. Bhise</u></p> <p>Adj. To: <u>15/7/16</u></p> <p><i>(Signature)</i></p>	<p><u>C.A. No.56 of 2016 in O.A. No.477 of 2015</u></p> <p>Dr. A.P. Thigle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Amit A. Gharte, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant prays for leave to amend for adding concerned department of the Government as party.</p> <p>3. List for hearing on 15.7.2016. n</p> <p>(sgj)</p> <p><i>(Signature)</i> Chairman 5.7.2016</p>

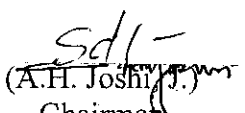
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Corom, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>5/7/16</u></p> <p>CGRAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Ramachandrar (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>B.A. Bandiwadkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u></p> <p>C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>2/11/16 with liberty to circulate the matter, if occasion arises</u></p> <p><i>ifk</i></p>	<p><u>C.A. No.46 of 2016 in O.A. No.352 of 2014</u></p> <p>Shri R.J. Tundiwale ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant prays for leave to amend for adding concerned department of the Government as party.</p> <p>3. Leave granted.</p> <p>4. Ld. PO states that the State Government has carried the order passed by this Tribunal in OA No.352 of 2014 before the Hon'ble High Court and the writ petition is circulated for admission/hearing and is listed for hearing on today's board at Sr. No.44.</p> <p>5. In view of this statement adjourned to 7.11.2016 with liberty to circulate the matter, if occasion arises.</p> <p style="text-align: right;">  (A.H. Joshi, J.) Chairman 5.7.2016 </p> <p>(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO. 641 OF 2016

DISTRICT : MUMBAI

Shri S.S. Sirsikar & Ors.

...Applicants

Vs.

The State of Maharashtra & Ors.

...Respondents

Shri A.S. Gadre, the learned Advocate for the Applicants.

Smt. Archana B.K., the learned Presenting Officer for the Respondents.

CORAM : Shri J. A.H. Joshi, Chairman.

DATE : 05.07.2016

ORDER

1. Heard Shri A.S. Gadre, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Applicant has moved this O.A. for limited relief as follows:-

“(a) That this Honourable Tribunal may pass necessary order or give appropriate directions to the Respondents for allowing Applicants to reside in the present Quarters till the end of rainy days or till 30th September, 2016 in the interest of justice and equity.

“(b) That this Honourable Tribunal give necessary directions to the Respondents not to evict the Applicants till the final hearing and dispose all of this Original Application.”

(Quoted from page 9 and 10 of the O.A. paper book.)

3. Today Applicant has furnished undertaking. It contains text as follows:-

“We, Shri Sanjay Sharad Sirsikar, Age 59 years and Mrs. Vasudha Sanjay Sirsikar, Age 50 years, do hereby undertake that we will vacate the Government quarter, by the end of September 2016 (i.e. 30th September 2016) peacefully and handover possession, charge of said premises/Govt. Quarter (i.e. Y-10/147, Govt. Colony, Bandra (East), Mumbai 400 051, M.S.) to the concering Executive Engineer (North Mumbai), P.W.D., Andheri (W), Mumbai 400 058, the Competent Authority D.D. Building, Old Customs House, Mumbai Collectorate,

Mumbai and the Govt. Shall not be required to initiate any action or proceedings for eviction.

Mumbai.
Dated:5.07.2016

Sd/-
(Sanjay Sharad Sirsikar)

Sd/-
(Vasudha Sanjay Sirsikar)"

(Quoted from affidavit of Applicant).

4. Applicant No.1 has urged that the Applicant has not been paid retiral dues as well as pension. This fact is not disputed by the Respondents.
5. It is hoped that the Applicants' provisional pension would be commenced forthwith.
6. With the peculiar background, that applicant has so far not received provisional pension and other dues, applicant can be permitted to continue to occupy the quarter allotted to Applicant No.1 by accepting Applicants' undertaking.
7. In the result Applicants are permitted to occupy the Government premises till 30.09.2016 in terms of the undertaking on affidavit.
8. Applicants have agitated questions as regards exemption of payment of penal rent. It shall suffice to observe that the Applicant shall be free to move to Respondents by making a representation.
9. With this above observation O.A. is disposed of.
10. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

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