RASHTRA	(Spl- MAT-F-2 E. ADMINISTRATIVE TRIBUNAL MUMBAI
(Advocate	
· The State	versus e of Maharashtra and others Respondent/s
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>05.07.2019</u>
DATE: SITING CONAM: Hontble Jusace Shur A. H. Jushi (Chairment) APPEARANCE: Shri/Smi. Shri/Smi. S. Doc C. Advocate for the Applicant Shri/Smi. S. Doc C. Advocate for the Applicant C.P.O/P.O. for the Respondent/s Adj/S.O. to 912-119	D.A. T92/2018 Shri A.P Patil & Others Applicants Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents. 2. Learned C.P.O prays for two days' time. 3. S.O to 9.7.2019. Sd/- (P.N Disit)' Vice-Chairman (A) Am

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	(A) (50,000-3-2017) MAHARASHTRA	(Spl. MAT A ADMINISTRATIVE TRIBUNAL MUMBAI	I-F-2 E.
Original Ap	plication No.	of 20 District Appl	licant/s
(Advocate)	
		versus	
	The Sta	te of Maharashtra and others	•
(Presenting	Officer	Respor	ident/s
Арреа	es, Office Memoranda of Coram arance, Tribunal's orders or ions and Registrar's orders	Tribunal's orders	, <u>, , , , , , , , , , , , , , , , </u>
		<u>05.07.2019</u>	
		<u>M.A 353/2019 in O.A 619/2019</u>	2
	•	Shri S.N Thembe & Others Applic Vs. The State of Maharashtra & Ors Respon	
		1. Heard Shri S.S Dere, learned advocat applicants and Ms Swati Manchekar, learned for the Respondents.	
DATE 7	7/2019	2. This is an application for leave jointly.	to sue
A. Shri/Smi	Nombor(A) V/C-A -S-Dere Wett Man Un Wer he Respondent/s	3. Considering the cause of action p by the Applicants is common, concurre usual, the cases are not required to be separately.	ent and
	M.A. is allowed	 4. In this view of the matter, the pressis allowed subject to Applicants paying recourt fees, if not already paid. 	
		5. M.A is allowed.	
		Sd/- (P.V Dixit) (A.H Josi Vice-Chairman (A) Chairm Akn	

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	59 (A) (50,000–3-2017) E MAHARASHTRA	(Spl. MAT-F-2 E. ADMINISTRATIVE TRIBUNAL MUMBAI
Original A	pplication No.	of 20 DISTRICT
	·	Applicant/s
(Advocate .)
		versus
	The Stat	e of Maharashtra and others
(Presenting	gOfficer	Respondent/s
Appe	tes, Office Memoranda of Coram, arance, Tribunal's orders or ions and Registrar's orders	Tribunal's orders
		05.07.2019
		<u>0.A 619/2019</u>
	•	Shri S.N Thembe & Others Applicants Vs.
		The State of Maharashtra & Ors Respondents
		1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.
DATE : CORAM : Hon'ble Jus'i:	Shri A. H. Joshi (Chairman)	2. In view of interim order dated 11.4.2019 passed in O.A 368/2019, no separate order is necessary. Two posts may be kept vacant for the applicants.
Hon'ble 5 <u>APPE</u> A Shri/ <u>5</u>	S.S. Dere	3. This O.A to come up for hearing with O.A 368/2019.
Advo	éspácant	4. Learned advocate for applicant prays for leave
Shri/Sin: 9 C., P.O. for	Watin Man Cheller	to add affected party as Respondents. Leave granted.
	30/8/2019	5. S .O to 30.8.2019.
	Ble	Sd/- (P.N Dixit) Vice-Chairman (A) Akn

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

Tribunal's orders

O.A.1079/2018

Shri D.M. Atre Vs.

2

... Applicant

The State of Mah. & ors.

... Respondents

1. Heard Shri M.D. Lonkar and Smt. K.S. Gaikwad, learned P.O. for Respondents.

2. Today, the learned P.O. has filed short Affidavit of Respondent No.2 stating that the proposal made by Collector, Nashik on 02.11.2019 is under consideration of the Government. It is taken on record.

3. The issue in the present matter pertains to grant of benefit of Time Bound Promotion considering temporary service of the Applicant. The Applicant seems to be appointed without following due process of law, as his services were required for Kumbhmeia. Besides, there is some break in his service. The Collector, therefore, forwarded a proposal on 02.01.2019 to the Government but the same is not yet decided.

4. In view of above, the matter is adjourned for final hearing for four weeks and meantime, the learned P.O. shall take instructions from the Respondents about the decision of Government on proposal of Collector dated 2^{nd} January, 2019.

5. 5.O. to 5th October, 2019.

Sd/-

(A.P. Kurhekar) Member-J 05.07.2019

(skw)

(G.C.P.) J 2959(B) (50,000----3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

IN Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's arders
	Date : 05.07.2019.
	O.A.No.609 of 2019
	Amjed M. NaikwadiApplicant Versus
	The State of Manarasntra & OrsRespondents.
	1. Heard Shri K. R. Jagdale, learned Counsel for the
	Applicant and Smt. Archana B. K., learned Presenting Office
	for the Respondents.
	2. In the present O.A., the Applicant has challenged the
	impugned transfer order dated 11.06.2019 whereby he was
	transferred from Malegaon Centre to Beed Centre. The
	Applicant was serving as Chief Intelligence Officer with
	Special Intelligence Department, Malegaon at the time of
	impugned transfer. The Applicant contends that he had not
	completed normal tenure of three years at Malegaon and
	there being no compliance of Section 4(4)(ii) and 4(5) of
	Maharashtra Government Servants Regulation of Transters
	and Prevention of Delay in Discharge of Official Duties Act,
	2005 (hereinafter referred to as 'Act 2005). The impugned
	order is unsustainable in law.
	 Learned Counsel for the Applicant, therefore. prayed for Interim relief.
	4. Learned P.O. for the Respondents has produced the
	file for perusal of the Tribunal, which snows that the proposal
	of transfer was approved by the Civil Services Board (CSB) in
	view of frequent leaves of Applicant and his unwillingness to
	work in the department. However, there is no approval of
	the Competent Authority for such mid-term and mid-tenure
	transfer. Learned P.O. fairly stated that there is no approval
	of Competent Authority as contemplated under Section $\tilde{\mathbf{o}}$ of
	'Act 2005'. However, she opposes to grant interim relief on
	the ground that the Applicant is already relieved from the
	post.

Spl.- MAT-F-2 E.

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Office Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	-2-
	5. Admittedly, the impugned transfer order is mid-
	term as well as mid-tenure transfer. Furthermore,
	admittedly, there is no approval of competent authority
-	as contemplated in the table of Section 6 of 'Act 2005'.
j .	Thus, prima-facie the impugned transfer order is not in
	consonance with law.
	6. In view of above, interim relief is granted in terms
	of Paragraph No. 11(a) of the O.A. and the Applicant be
	reposted on the post of Chief Intelligence Officer at
	Malegaon Centre.
	7. Issue notice before admission returnable on 31.07.2019.
	8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
	9. 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.
	10. 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.
	11. 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.
	12. 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.
	13. S.O. to 31.07.2019. Sd/-
	(A.P. Kurhekar) Member(J)

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

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of Coram, rs or rders	Tribunal's orders		
	<u>0.A.401</u>	/2018	
	Shri R.L. Boga Vs.	Applicant	
	The State of Mah. & ors.	Respondents	
	1. Heard Shri A.V. Bandiwa learned P.O. for Respondents.	dekar and Smt. A.B. Kololgi,	
	2. The Applicant stands his retiral dues are not rele approached to this Tribunal. for final hearing but the lear learned P.O. are not prepared time for hearing.	Today, the matter is fixed med Advocate as well as	
	3. I have gone through the which goes to show that becau of D.E. against the Applica withheld. However, though th and half year is over, till da seems to have been issued. T to enlighten the Tribunal on thi	nt, his retiral dues are e period of more than one te, no sucn charge-sheet The learned P.O. is unable	
	4. In view of above, it is status of D.E, if any, so that disposed of expeditiously in there is no need to keep it linge	appropriate manner and	
	5. The matter be kept on the Tribunal about the initiati Respondents.	8^{ih} July, 2019 to appraise on of D.E, if any, by the	
	6. The Respondent No.1 present on Monday i.e. 8 th Ju apprise the Tribunal about the explain the delay as to why ti Applicant are withheld.	initiation of D.E. and to	
	7. S.O. to 8 th July, 2019.		
		∿ Sd/-	
		.P. Kurhekar) Member-J 05.07.2019	

(skw)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

ORIGINAL APPLICATION NOS. 628 & 629 OF 2019 WITH ORIGINAL APPLICATION NO.622 OF 2019

Shri Baban J. Tejankar (O.A.628/2019))Dr. Deepali D. Kshirsagar (O.A.629/2019))Shri Shrikant D. Surve (O.A.622/2019))...Applicants

.

Versus

1. The State of Maharashtra & Ors.)...Respondents

Mr. D.B. Khaire, Advocate for Applicants (O.As.628 & 629/2019) Mrs. Punam Mahajan, Advocate for Applicant (O.A.No.622/2019) Mrs. A.B. Kololgi, Presenting Officer for Respondents (O.As.628 & 629/2019) Ms. N.G. Gohad, Presenting Officer for Respondents (O.A.622/2019)

CORAM : A.P. KURHEKAR, MEMBER-J

DATE : 05.07.2019

ORDER

1. In the present O.As, the challenge is to the transfer order dated 04.07.2019 on the ground that though it is mid-term transfer, the same is not in consonance with Section 4(5) of 'Maharashtra Government Servants Regulation of Transfer and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as the Transfer Act).



2. Admittedly, the Applicants have completed their tenure but the transfer orders were issued on 4th July, 2019, and therefore, it comes within the term of 'mig-term transfer'.

3. When the matter was placed before the Civil Services Board (CSB), the name of the Applicant in O.A.628/2019 was considered and she was proposed for transfer at Khadki. Whereas, the Applicant in O.A.629/2019 was proposed to be transferred to Delwadi, Tal. : Daund. In so far as O.A.622/2019 is concerned, the CSB recommended the Applicant for transfer at Sangole.

4. However, no such orders of transfer were issued but they were transferred by order dated 4th July, 2019 on different places. The Applicant in O.A.628/2019 was transferred to Khadgaon, Tal. Bhudargad, District Kolnapur. Whereas the Applicant in O.A.629/2019 was transferred to Jat, District : Sangli and Applicant in O.A.622/2019 was transferred to Gargoti, Tal. Budargad, District Kolnapur.

5. The learned P.O. has produced a file for perusal, which shows that the Hon'ble Chief Minister has only approved regular transfer and in respect of midterm transfer, the Hon'ble Minister was asked to take decision at his level.

6. Thus, what emerges from the record that there is no approval of Hon'ble Chief Minister to mid-term transfers dated 04.07.2019. It appears that earlier powers of general transfer were delegated to the Secretary but it was withdrawn and Hon'ble Minister himself took over the powers. In that event also, the impugned transfer order being mid-term transfer, there has to be approval of preceding Competent Authority, as per Table attached to Section 6 of 'Transfer Act 2005', which is admittedly not complied with. This being the position, primafacie, the impugned orders are not in accordance with the provisions of 'Transfer Act 2005'.

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O.As. 628, 629 & 622/2019

7. 'n view of above, status quo is granted to the impugned transfer order qua the Applicants.

8. Issue notice returnable on 30th July, 2019.

9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

10. 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.

11. 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.

12. 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.

13. 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.

14. S.O. to 30th July, 2019. Hamdast granted.

5 Sd/-

(A.P. KURHEKAR) Member-J

skw

(G.C.P.) J 2959(B) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

ΙN

Original Application No.

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

FARAD CONTINUATION SHEET No.

l's orders	Coram, s or ders
A.No.621 of 2019 Applicant	
ra & OrsRespondents.	
am Mahajan, learned Counsel for the Iranti Galkwad, learned Presenting ents.	
A., the challenge is to the impugned	
.07.2019. The Applicant was serving	
e Excise, Thane and transferred to the	
, State Excise, Dhule. The Applicant	
one year at Thane. The Applicant,	
at it is a mid-term and mid-tenure	
nce with Section 4(4)(ii) and 4(S) of	
ent Servants Regulation of Transters	
y in Discharge of Official Duties Act,	
red to as 'Act 2005') and, therefore,	
· ·	
r the Respondents has tendered the	
Tribunal which snows that the Civil	
d not recommend the name of the	
it recammended the transfer of other	
when the file was placed before the	
ded the names of seven officials for	
has been approved by the Hon'ple	
dding the name of seven officials to	
inister stated that their transfers are	
tive grounds to achieve targets.	
act remains that the name or the	
ced before the CSB for transfer. The	
ere placed before the CSB for transfer	
rikar was amongst them who was	
pplicant on her request.	

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ffice Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	5. Thus what transpired from the record that
1	admittedly that name of the Applicant was not placed
•	
	before the CSB. This being the position, prima-facie, the
	Impugned transfer order is not in consonance with the
:	directions given by the Hon'ble Supreme Court in T.S.R.
	Subramanian & Ors. Vs. Unian of India & Ors. reported
	in (2013) 15 SCC 732. Secondly, the Applicant seems to
i	have been displaced only to accommodate Smt. Snehlata
	Shrikar (Resp.No.2).
	6. In view of above, <i>prima-facie</i> , the impugned
	transfer order is not in consonance with Section 4(4)(ii) and 4(5) of the 'Act 2005'. I am, therefore, inclined to
	grant interim relief.
	7. In view of above, interim relief is granted as prayed,
	in terms of Paragraph No. 10(a) of the O.A.
	8. Hamdast and steno copy is granted.
	9. Issue notice before admission returnable on
	30.07.2019.
	10. Tribunal may take the case for final disposal at this
	stage and separate notice for final disposal shall not be
	issued.
	11. 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. 12. 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.
	13. 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.
	14. 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.
	15. S.O. to 30.07.2019.
	Sd/-
	v

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

Tribunal's orders

Date : 05.07.2019.

O. A. No.582 of 2019

P. F. Gangave

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 17.07.2019.

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 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. 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. S.O. to 17.07.2019.

N Sd/-

(A.P. Kurhekar) Member(J)

2

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

Tribunal's orders

Date : 05.07.2019.

O. A. No.615 of 2019

....Applicant

Dr. A. R. Kamble

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 31.07.2019.

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 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, courler 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 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 31.07.2019.

Sd/-

(A.P. Kurhekar) Member(J)

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

Tribunal's orders

Date : 05.07.2019.

O. A. No.617 of 2019

L. Y. Vanaskar

....Applicant

Versus

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The State of Maharashtra & Ors.Respondents.

1. Heard Shri N. Y. Chavan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 31.07.2019.

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 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. 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. S.O. to 31.07.2019.

7 Sd/-

(A.P. Kurhekar) Member(J) Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date : 05.07.2019.

O. A. No.608 of 2019

Dr. M. V. Pande

....Applicant

Versus

2

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 31.07.2019.

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.

S. 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. 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. S.O. to 31.07.2019.

Sd/-

(A.P. Kurhekar) Member(J)

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

Tribunal's orders

Date : 05.07.2019.

O. A. No.608 of 2019

....Applicant

Dr. M. V. Pande

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 31.07.2019.

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 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, courler 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 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 31.07.2019.

Sd/-

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(A.P. Kurhekar) Member(J)

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

Tribunal's orders

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Date : 05.07.2019.

O. A. No.582 of 2019

P. F. Gangave

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 17.07.2019.

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 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. 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. S.O. to 17.07.2019.

Sd/ν.

(A.P. Kurhekar) Member(J)

		(Spl. MAT-F-2 E.
(G.C.P.) J 2959	(A) (50,000-3-2017) MAHARASHTRA A	DMINISTRATIVE TRIBUNAL
	N	UMBAI
Original App	lication No. of	20 DISTRICT Applicant/s
(A deserts)
(Advocate		
		versus f Maharashtra and others
	The State o	Respondent/s
(Presenting	Officer	
Арре	tes, Office Memoranda of Coram, arance, Tribunal's orders or tions and Registrar's orders	Tribunal's orders
		05.07.2019
		C.A 109/2015 in O.A 353/2014
		,
	512119.	Dr K.S Ramamurthy Applicant Vs. The State of Maharashtra & Ors Respondents
DATE COR		The State of Manual Local Leard Smt K.S. Gaikwad,
Hon'ble	Justice Shri A. H. Joshi (Chairmein)	learned P.O for the Respondents.
	None for the Dept."	2. Hon. H.C has passed the order that reads as follows:-
Advoca	the Applicant	3. Now it is thus clear that while coercive steps cannot be taken but order of this Tribunal has not been stayed by Hon. High Court.
Adj./S.C	O. for the Respondent/s	4. In this background, Secretary, Public Health is directed to file affidavit on following points:-
·	order passed i'u aibural Glumh 5070 1077 119. steno CAPY and Hamban is ground	Under what authority of law he is entitled to disobey the order of this Tribunal and what precluded the Respondents from implementing the order of this Tribunal subject to outcome of W.P filed by the State.
	steno Copy and	5. Affidavit be filed before 10.7.2019.
	Handah is ground	6. Secretary is also directed to calculate the dues payable to the applicant as per the order of this Tribunal.
		7. S.O to 10.7.2019.
		8. Steno copy and Hamdast. Learned P.O is directed to communicate this order to the Respondents.
		8
		Sd/-
		(A.H Joshi, ()) Chairman
		Aka

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B.C.P.) J 2959 (A) (50,006	DMIN TUMBA	ISTRATIV M	TRIBI	(Spl MAT-F-2 E. UNAL	·
Driginal Application No. of	20		DISTRICT	Applicant/s	
Advocate	*.)				
	versus				
The State o	f Maharas	htra and other		·	
Presenting Officer)		Respondent/s	5
Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders		<u></u>	mal's orders		-
	<u>05.0'</u>	7.2019			
		<u>C.A 20</u>)/19 in O.A 8	77/2017	
DATE: 517119 COFLAM : Hon'the Justice Shri A. H. Joshi (Chairmen)		.B Londhe Vs. State of Maharas	shtra & Ors	Applicants Respondents	
APPEARANCE: shr k & tragdele	 Heard Shri K.R Jagdale, learned applicant and learned C.P.O for the Response Learned P.O prays for time till More 		e Respondenta.	r the	
Advocute for the Applicant	3.	S.O to 9.7.20		2	
C.P.O.FD. for the Respondent/s Adl./S.C to 917119			e	Sd/- (A.H Joshi, 4.) Chairman	M
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g.c.p.) J 295 9 IN THE	(A) (50,000-3-2017) MAHARASHTRA A M	(Spl. MAT-F-2 E. DMINISTRATIVE TRIBUNAL UMBAI
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		versus
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		<u>05.07.2019</u>
		<u>0.A 571/2017</u>
DATE :_	517119	Shri M.Y Sate & Others Applicants
CORAM Honble Just	ice Shri A. H. Joshi (Chairmein)	Vs. The State of Maharashtra & Ors Respondents
Advocate for	p wavelebes	 Heard Dr. Gunratan Sadavarte, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents. Learned C.P.O states that affidavit assuring compliance and stating time limit is finalized and the same would be filed on Monday. S.O to 9.7.2019.
		(A.H Joshi, J) Chairman
	-	

2 Office Notes, Office Memoranda of Coram. Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date : 05.07.2019. O.A.No.612 of 2019 Applicants S.P. Mhaisdhune & Ors. Versus The State of Maharashtra & Ors. Respondents Heard Dr. Gunaratan Sadavarte, learned 1. Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 512/19 Learned C.P.O, Ms. S.P. Manchekar for the DATE :.. 2. CORAM : Respondents relies on the text of the Government Han'ble Justice Shri A. H. Joshi (Chairmens) Resolution dated 22.04.2019, copy whereof is at page 83 and relevant text is appearing at page 86, that the APPEARANCE: appointment of 636 candidates as PSI are not likely to be Shrille Gandita made forthwith and rather would be made as and when Advocate for the Apolicant vacancles arises. ships sp norderceor Learned C.P.O. further states that petition being 3. C.P.O/P.D. for the Respondent/s pre-mature needs to be dismissed. Adi/S.O to Heard dades pessed in According to the contents of the O.A. 636 4. -tribural Clumy. candidates have been subjected to the process of Som 17/19 Stene copy and is allowed to U medical examination etc. required to be completed for appointment. Hanga Learned C.P.O. disputes the proposition / Jona 5. submission of learned Advocate for the Applicant and states on instructions that time may be granted for filing $\mathcal{\mathcal{S}}$ affidavit to the effect that posts which are advertised, to whom Applicants purport to representation shall be filled-in only first in sequence to filling in of 636 posts and not now. In view of the statement of learned C.P.O. it is 6. clear that appointments of 636 candidates are not going to be done immediately. Learned C.P.O. is directed to communicate this 7. order to the Respondents. Steno copy and Hamdast is allowed to learned 8. C.P.O. S.O. to 11.07.2019. 9 Sd/-(A.H. Joshl, (.)

2. Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date : 05.07.2019. O.A.No.445 of 2019 With O.A.No.197 of 2019 Applicants M.T. Metake & Ors. Versus The State of Maharashtra & Ors. Respondents DATE : 5/7/19 Heard Ms. Madhavi Ayyappa holding for M/S. CORAM 1. Hon'bis Justice Shn A. H. Joshi (Chairman) Taiekar & Asso., learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer APPEARANCE: for the Respondents No.1 to 3, Dr. Gunaratan sings modilori Dygappa for mis Tolebol and Descripted Sadavarte, learned Advocate for the Private Respondent, Shri A.A. Desai, learned Advocate for sinism's . . marelelos C.P.O/20 for the Respondent/s 1103-Respondent No.4, Shri R. Bhandari with Shri Adsuie, Adi IS.O to Hear learned Counsel for the Respondent. DX-6 tadavaste Dd V for the Learned C.P.O. prays for time for filing reply on pesportence -2. Shui PIP Desai Bdy #1 the ground that instructions are awaited. se paspordent doi 20. Stori Bta M. BLA JOH' WILL As Home is called to show cause as to why he 3. should not be personally saddled with costs of stai paville a odside course Rs.25,000/- for failure to give instructions. Reply be for the paypoduly a filed on personal affidavit of Additional Chief Secretary, Home, on or before 11.07.2019 order passed in Steno copy and Hamdast is allowed to learned 4. Tribulal Column C.P.O. for communication with direction to Soro 11/7/119. Steve Coff all Haudout is allow communicate this order. S.O. to 11.07.2019. 5 (water 08192/19) (A.H. Josh(,J.) prk

C.P.) J 2955(B) (50,000-3-2017) N THE MAHARASHT	RA ADMIN	ISTRATIVE TRIBU	ISpl MAT-F-2 E. J NAL
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on'ble Justice Shri A. H. Joshi (Chairman)		Dr. M.K. Patil	Applicant
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shei O.S Desupard C .		The State of Maharashtra & O	rs Respondents
Advocasti so koont	,	1. Heard Shri A.S. Deshp	ande, learned Advocat
miss S.P. manchebes		for the Applicant and Ms. S	.P. Manchekar, learne
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		Respondents adjourned to 10.	07.2019.
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			Sd/- (A.H. Josni, ۲) ز
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(G.C.P.) J 2959	(B) (50,000-9-2017) MAHARASHTRA	ADMINIS	TRATIVE TRIB	UNAL
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directi	ions and Registrar's orders			
			ate : 05.07.2019.	
			C.A.No.53 of 2014 in C	A NH 44 OF 2009
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			he State of Maharashtra & C)rs Réspondents
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Λ.		t	he Applicant and Ms. S.P. N	Nanchekar, learned Chief
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Henrible Justice Shri A. H. Joshi (Chainman) Versus APPEA RANGE: The State of Maharashtra & Ors Respondent Shri/Smi. M. P. Ordiumutia. Advocate for the Applicant 1. Heard Shri Y.P. Deshmukh, learned A Shri/Smi. D. T. Chougule. Shri/Smi. D. T. Chougule. C.PO/P.O. for the Respondent/s Adj./S.O. p Bernored filom Board. Z. Removed from board. J. Sd/- (A.H. Joshi, J. Chairman	icant
APPEARANCE Shri/Shri (7) P. Deshmukh, learned A Advocate for the Applicant Shri/Shri (1) Heard Shri Y.P. Deshmukh, learned A for the Applicant and Shri A.J. Chougule, Presenting Officer for the Respondents. 2. Removed from board. Sd/- (A.H. Joshi, J Chairman	
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(Advocate)

versus

The State of Maharashtra and others

(Presenting Officer.....)

Offide Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A. No.1036 of 2018</u>	
DATE: <u>77119</u> CORAM: Herbie Julien Hrif A. H. Joshi (Chairman) Honbie 5 Julien Hrif A. H. Joshi (Chairman) Honbie 5 Julien Herber (A) V/C APE 3 - 9. 04/2 Shrift B. Man Metter C.I. I Hon Respondent/s 1 42. Adi/ S.O. to Libert to circulate If a	 S.V. Sawant Vs. The State of Maharashtra & Ors. Heard Shri S.S. Dere, learn Applicant and Ms. S.P. Manchekar, lea Officer for Respondents No.1 & 2. No.3. Ld. CPO files reply on behalf of the same is taken on record. Ld: Advocate for the applicant be heard by Division Bench at the earling Liberty to circulate. 	Applicant Respondents ed Advocate for the arned Chief Presenting None for Responden of respondent no.1 and states that matter may

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

 P.V. Shelke Patil & OrsApplicants Vs. The State of Maharashtra & OrsRespondents Heard Shri S.S. Dere, learned Advocate for thapplicants and Ms. S.P. Manchekar, learned Chipresenting Officer for Respondents No.1 to 5. None for Respondent No.6. Ld. CPO submits that respondent no.2 proposes file reply and seeks one week's time. Ld. Advocate for the applicant seeks two weeks time of file replonder. S.O. to 25.7.2019. 	Office Notes, Office Memoranda of Coram. Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.52 of 201	
	directions and Registrar's orders DATE <u>52</u> DATE <u>52</u> DATE <u>52</u> Nonible lucit Honible lucit Honible Statute Honible Honible Statute Honible Honible Honible Honible Honible H	O.A. No.52 of 201 P.V. Shelke Patil & Ors. Vs. The State of Maharashtra & Ors. Heard Shri S.S. Dere, learne Applicants and Ms. S.P. Manche Presenting Officer for Respondents M Respondent No.6. 2. Ld. CPO submits that respond ile reply and seeks one week's time. 3. Ld. Advocate for the applicant to file rejoinder. 4. S.O. to 25.7.2019. (P.I. Vice-C 5.	Applicants Respondents ed Advocate for the ekar, learned Chief No.1 to 5. None for dent no.2 proposes to seeks two weeks time Sd/- N! Dixit) hairman (A)

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The State of Maharashtra and others

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram. Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's order O.A. No.848 of 2	
DATE: ETTIS CORAM: Harble Justice	 R.S. Salunkhe & Ors. Vs, The State of Maharashtra & Ors. Applicants and Advocate f absent. Heard Ms. S.P. Manchekar, Officer for the Respondents. 2. Reply is already filed. 3. Admit. To come up for fina with liberty to file rejoinder, if any. 	Applicants Respondents for the Applicants are learned Chief Presenting

versus

The State of Maharashtra and others

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Anyearance, Tribunal's orders or directions and Registrat's orders Tribunal's orders M.A. No.342 of 2019 in O.A. No.602 of 2019 A.R. Sanap & Ors. Vs. Applica A.R. Sanap & Ors. Vs. Applica DATE: 172/2019 Respond DATE: 172/2019
Vs. The State of Maharashtra & OrsRespondent Heard Shri Sushant Valimbe, learned Advoce the Applicants and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents. 2. By this MA, the Applicants are seeking leave jointly. The Applicants are similarly situated and the reasons stated in the MA. leave to sue jointly as prayed granted. subject to the Applicants paying requisite fees, if not already paid. MA disposed off accordingly Sd/-
HT.

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram. Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.1118 of 2	
	S.G. Wadekar Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri N.Y. Chavan, leat Applicant and Ms. S.P. Manchekar, le Officer for the Respondents.	rned Advocate for the arned Chief Presenting
	2. Ld. Advocate for the applic matter may be heard with OA No adjournment till 18.7.2019.	ant requests that this 0.666/2017 and seeks
	3. S.O. to 18.7.2019.	
		Sd/-
DRAM: con ble Justice Dati (H. Joshi (Chairman) on ble Shri P. N. Constant (Chairman) <u>PEARANCE:</u> ont/Sml :	Vice-C	N! Dixit) Chairman (A) .7.2019
savocate for these the sent		
P. D/P.O. for the Respondent/s		
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(Advocate)

versus

The State of Maharashtra and others

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A. No.581 of 2019 with M.A.</u>	No.324 of 2019
	Y.D. Kale & Ors. Vs.	Applicants
	The State of Maharashtra & Ors.	Respondents
	Heard Shri S.S. Dere, learned Applicants and Ms. S.P. Mancher Presenting Officer for the Respondents	ekar, learned Chie
	2. At the request of Ld. Advoca adjourned to 10.7.2019.	ate for the applicant
		Sd/-
CRAM: Ion'hle Justice Start A. H. Joshi (Chairman)		NJDixit) hairman (A)
Ion'hie to de la Dixit Member (A) - V/C-A APECIAL Bhrissian S.S. Deve		7.2019
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avent de Ed. Adv. for the Appl.		
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(Advocate)

versus

The State of Maharashtra and others

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram. Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.73 of 2019	
	 V.R. Rathod Vs. The State of Maharashtra & Ors. Heard Shri U.V. Bhosle, lean Applicants and Smt. K.S. Gaikwa Officer for the Respondents. 2. Ld. PO files reply on behalf o and the same is taken on record. 3. Admit. To come up for final with liberty to file rejoinder, if any. 	d. learned Presenting f respondents no.1 to 3
DATE: <u>F122019</u> DORAM: ionible Justilias Start A. H. Josthi (Chairman) Honible Shrip N. 1999 Hember (A) V[C-A THE LE LE Bhasak. Million He Apolicant HAS. Gai Kwad CF. 1900. for the itespondent/s Adi J S.O. to <u>Atmit</u>	Vice-	Sd/- N. Dixit) Chairman (A) 5.7.2019

(Advocate)

versus

The State of Maharashtra and others

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A. No.1127 of 201</u>	8
Appearance, Tribunal's orders or	O.A. No.1127 of 2011 S.B. Kadam Vs. The State of Maharashtra & Ors. Heard Shri S.T. Bhosle, learne Applicant and Ms. Neelima Gohad, Officer for the Respondents. 2. Ld. PO seeks time to file reply. 3. S.O. to 19.7.2019. (P.N Vice-Ch	Applicant Respondents d Advocate for the
Adi/ S.O. to 1.1.1.1.1.2014		

(Advocate)

versu**s**

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.23 of 201	<u>19</u>
		Applicant Respondents ned Advocate for the arned Chief Presenting te submits that he has
<u>URAM</u> : <u>Non'ble Justice (Spri A. H. Joshi (Chairman)</u> <u>Non'ble Justice (Spri A. H. Joshi (Chairman)</u> <u>Non'ble Shri P. N. Momber (A)</u> V(C-M <u>PEARAN</u> <u>Spri A. H. Joshi (Chairman)</u> <u>Non'ble Justice (Spri A. H. Joshi (Chairman)</u> <u>Spri P. N. Momber (A)</u> V(C-M <u>Spri P. N. M. Momber (A)</u> <u>Spri P. N. M. Momber (A)</u> <u>Spri P. N. M. M. Mober (A)</u> <u>Spri P. N. M. M.</u>	Vice-C	Sd/- N. ¹ Dixit) hairman (A) 7.2019
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(Advocate)

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The State of Maharashtra and others

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or dilections and Registrar's orders	Tribunal's orders O.A. No.574 of 20	19
	B.P. Nagamwar Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri S.S. Dere, learne Applicant and Ms. S.P. Manchekar, lea Officer for the Respondents.	
	2. Ld. CPO seeks one week's time	to file reply.
	3. S.O. to 11.7.2019.	
DATE: \$72/2019		Sd/-
Hon'bla wetrog Shri A. H. Joshi (Chairmin) Hon''s a No Dixit Member (A) V/C-17	Vice-C	N. Dixit) hairman (A)
be S.S. Dere	5. (sgj)	7.2019
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shri/Snie 5. P. Man Meller		
Add S.O. to		
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(Advocate)

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 <u>O.A. No.596 of 2018</u>	
	Dr. S.M. Gaikwad & Ors. Vs. The State of Maharashtra & Ors.	Applicants
·	Heard Shri M.D. Lonkar, learne Applicants and Ms. S.P. Manchek Presenting Officer for the Respondents. 2. At the request of Ld. CPO adjour	ed Advocate for th ar, learned Chie
DATE: 512/2011 DORAM Ton'hie Justice Stut A. H. Joshi (Chairman)	(P.N.	Sd/- Dixit)
tontone + All Nixit Member (A) - V/C-A <u>PES</u> Shriftone MI <u>D</u> LewKer Advor		airman (A) 2019
Shriftson B.F. Mancheller 21 P.O. for the Respondent/s		
cavent of Ld. CPd.		
J.L.		
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(Advocate)

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versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

 N.N. WaghmareApplicant Vs. The State of Maharashtra & OrsRespondents. The State of Maharashtra & OrsRespondents. Heard Shri Ashish Rajkar, learned Advocate for th Applicant and Ms. S.P. Manchekar, learned Chief Presentin Officer for the Respondents. Ld. Advocate for the applicant submits that he ready to cooperate with the respondents and would provid the original documents immediately. He further prays the the respondents may be given three months to complete the process and OA may be disposed off. Ld. CPO mentions that respondent no.3 held meetin on 27.6.2019 with all the concerned. As soon as the original documents are made available, necessary action would be taken to complete the service book. In view of the above, OA is disposed off with direction to the respondents to complete the service book. In view of the above, OA is disposed off with direction to the respondents to complete the service book. In view of the above, OA is disposed off with direction to the respondents to complete the service book. In view of the above, OA is disposed off with direction to the respondents from the applicant within a week. Solo. In C.A. Lis. disposed off (P.N. Dixit) Vice-Chairman (A) 5.7.2019 With directions 	Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's order <u>O.A. No.88 of 2</u>	
	DATE: <u>\$121.2019</u> DATE: <u>\$121.2</u>	O.A. No.88 of 2 N.N. Waghmare Vs. The State of Maharashtra & Ors. Heard Shri Ashish Rajkar, le Applicant and Ms. S.P. Manchekar, le Officer for the Respondents. 2. Ld. Advocate for the applid ready to cooperate with the respond the original documents immediately the respondents may be given three process and OA may be disposed off. 3. Ld. CPO mentions that respondents are made available, nec- taken to complete the service book. 4. In view of the above, OA direction to the respondents to comp the applicant within a period of thr the original documents from the applicant. (In view of the above, OA (In view of the above, OA) (In view of the above) (In view of the above) (In view of the above) (In view	Applicant Respondents earned Advocate for the earned Chief Presenting cant submits that he is ents and would provide . He further prays tha months to complete the ndent no.3 held meeting As soon as the origina essary action would be is disposed off with a lete the service book of ee months after getting icant within a week. Sd/- P.N. Dixit) -Chairman (A)

(Advocate)

versus

The State of Maha**ra**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 orders <u>O.A. No.226 of 2019</u>	
	P.L. Khairnar & Ors. Vs.	Applicants
	The State of Maharashtra & Ors.	Respondents
	Applicants and Advocate for absent. Heard Ms. S.P. Manchekar, le Officer for the Respondents.	or the Applicants ar arned Chief Presentin
	2. Ld. CPO files reply on behalf of the same is taken on record.	of respondent no.3 and
	3. Admit. To come up for final with liberty to file rejoinder, if any.	hearing in due course
DATE: 5212010 CORAM:		Sd/-
Hon'ble Justile Shirl A. H. Joshi (Chelman) Hon'ble Shirl P. N. Dixit Member (A) V/C-A APPEARANCE Shri/Smin Anglin Cant Sind Alvocat arthe of Niccarl are absend. Advocate to be Applicant	Vice-C	V. Dixit) hairman (A) 7.2019
Shri/Smt		
He		

'Advocate)

ve**rs**us

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 orde O.A. No.285 of	rs 2019
DATE: <u>51-119</u> CORAM: Honble Justice Shrif A. H. Joshi (Chairman) Honble Justice Shrif A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) G. H. Banda Justice A. Advector Shrift A. H. Joshi (Chairman) Honble Justice A. Advector Shrift A. A	O.A. No.285 of S.K. Kalel Vs. The State of Maharashtra & Ors. Heard Shri G.A. Bandiwadek the Applicant and Ms. S.P. Mar Presenting Officer for the Responden 2. Ld. CPO states that reply of no.1 is already filed. She submits revise the affidavit to examine whe limitation. 3. Ld. Advocate for the applicant making his revised submissions. 4. S.O. to 15.7.2019. (P. Vice-C	Applicant Respondents ar, learned Advocate for achekar, learned Chief ts. n behalf of respondent that she would like to ether OA is barred by

(G.C.P.) J 2959 (A) (50,000-3-2017)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

[Spl.- MAT-F-2 E.

Original Application No. of	20 DISTRICT
•	Applicants
(Advocate)
	versus
The State o	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>05.07.2019</u>
•	M.A 104/2019 (decided) in O.A 245/2017
	Shri S.S Ahamed & Others Applicants Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Smt Punam Mahajan ,learnen advocate
DATE:	
Hon'ble A. Bos Bhri A. H. Joshi (Chairman) Hon'' - Deat Member (A) - V(C+ K)	2. Para 2 of order dated 14.3.2019 be deleted.
	Sd/- Sd/-
	(P.N Dixit) (A.H Joshi(J.)
Shaver 9W at Man Orever C.P. JYP.O. for the Respondent/s	Akn
Adj. S.O. to fara 2 of order	
dated 14/3/19 be deleted.	
le	
Appearance, Tribunal's orders or directions and Registrar's orders DATE: <u>st7]19</u> CORAM: Hon'ble and Stri A. H. Joshi (Chairman) Hon'' Dire Member (A) - v/C+ M APE Stri PUNAM Matejan Action - pipticest: Sharon - Pipticest: Sharon - Stri Man Orefor C.P. JP.O. for the Respondent/s	05.07.2019 M.A 104/2019 [decided] in O,A 245/2017 Shri S.S Ahamed & Others Nri S.S Ahamed & Others Vs. The State of Maharashtra & Ors 1. Heard Smt Punam Mahajan ,learnen advoca for the applicants and Ms Swati Manchexar I. Heard Smt Punam Mahajan ,learnen advoca for the applicants and Ms Swati Manchexar I. Para 2 of order dated 14.3.2019 be geleted. Sd/- Sd/- Sd/- (P.N Dixit) Vice-Chairman (A)

[Spl.- MAT/F-2 E. (G.C.P.) J 2959 (A) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI** DISTRICT of 20 Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders 05.07.2019 M.A 132/2019 in O.A 245/2018 ... Applicants Shri S.S Ahamed & Others Vs. ... Respondents The State of Maharashtra & Ors Heard Smt Punam Majahan ,learnea advocate 1. for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents. In view that M.A for prining legal heirs on 2. record is allowed, this M.A is also allowed. ⇔ ⊜⊨at Niembor (A) HUI Nynam Me She Sd/-Applicant (A.H Joshi (P.N Dixit) Adve ... Vice-Chairman (A) Sharsing Swie mgn u Akn P.C. for the Respondent/s C.i Adj S. S. S. M.H. L. S. G. 90 Allowed

(G.C.P.) J 2959 (A) (50,000-3-2017) [Spl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI** Original Application No. of 20 DISTRICT Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders 05.07.2019 M.A 352/2019 in O.A 1091/2016 Shri A.G Phulsange ... Applicants Vs. The State of Maharashtra & Ors ... Respondents 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Neelima Gohad, learned P.O DATE for the Respondents. CORAM : Hon'ble dataset BEA. H. John (Chaine Accepting reasons contained to be good and 2. Hon'bes * APPE sufficient, M.A is allowed. **Shr**/S Agy: acent Sd/-Sd/ Shaising Hedring Gonc (P.N Dixit) (A.H Joshi C.F. P.C for the Respondent/s Vice-Chairman (A) Chaims Ad1 S.O. to MA is allowed. Akn

	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
•	05.07.2019
	O.A 616/2019 with M.A 351/2019
	Shri R.R Divekar & Others Applicants
	Vs. The State of Maharashtra & Ors Respondents
	1. Heard Shri D.B Khaire, learned advocate for the applicants and Ms Swati Manchekar , learned C.P.O for the Respondents.
	2. Learned advocate for applicants pray for leave to amend by substituting memo of O.A as also memo of M.A.
DATE : 772/19	3. Learned advocate undertakes to carry out substitution by Tuesday, i.e. 9.7.2019.
CORAM: Hon'ble Jue car Chri A. H. Joshi (Chairman) Hon'ble 5 The Momber (A) - V(C+ A	4. Liberty to ask for circulation after substitution.
AFF. D.B. Khaile	Sd/- Sd/-
Adv cocant Shri/Sm Salet Mancheller	(P.N'Dixit) (A.H Joshi, A) Vice-Chairman (A) Chairman
C.P. J/P.O. for the Respondent/s	Akn
Adjso. 10 Liberty to ask or circulation after substrivetion.	
PH Ce	
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O.A_614/2017

Shri K.R Hire

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05.07.2019

... Applicant

The State of Maharashtra & Ors ... Respondents

Vs.

1. Shri S.S Dere, holding for Shri A.V. Bandiwadekar, learned advocate for the applicants and Ms Neelima Gohad, learned C.P.O for the Respondents.

Issue notice returnable on 16.9.2019.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

4. 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.

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. Applicants are directed to file affidavit of compliance and notice.

7. 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.

S.O to 16.9.2019.

Sd/-

8.

(P.N Dixit) Vice-Chairman (A) _{Akn}

Sd/-

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(A.H Joshi, J.) Chairman

DATE : 577119 CORAM : Hon'ble 😪 A. H. Joshi (Chairman) Hon'bla ~ Member (A) - VIC- A APP S.S. Dere Shr 🚬 Adv. 000cant Heelima Sch ca .Shri/Sm C.I /P.O. for the Respondent/s Adi/S.O. 10 I Joshe Matice Veturnable on 16/9/2019 He

(Advocate

..... Applicant/s

..... Respondent/s

versus

The State of Maharashtra and others

1 $\sim \infty$ (\mathbf{P}) 1.5

Office Notes. Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
Appéarance, Tribunal's orders or directions and Registrar's orders MIE: <u>5171 2019</u> JRAM: m'Die Just Chil A. H. Joshi (Chairman). m'Die Just Chil A. H. Joshi (Chairman). m'Die Just Chil Member (A) - V/C-M Mon Mahejs n Mon Cant Misson A. J. (My Mg We MP.O. for the Respondent/s J/S.O. to <u>1.017.12.019</u> .	05.07.2019 Shri S.S Chavan Applicants Vs. The State of Maharashtra & Ors Respondents 1. Heard Smt Punam Mahajan, learned advocate for the applicants and Shri A.J Chougule, learned C.P.O for the Respondents. 2. Learned advocate for applicant prays for addir D.G.P as Res.no. 1A. Leave for adding party is granted Amendment to be carried out forthwith. 3. In the present O.A the limited question that arises is the question pleaded by the applicant in para 6.21. relevant text read as follows:- 6.21.3. Even as per the G.R dated 15.12.2017, the applicant is to be considered for promotion a more than a period of 2 years has passed from the date of the last DPC in July, 2016, in which the applicant is found fit for promotion. If the Applicant is found fit for promotion. If the Applicant is found fit for 11 months promotion subject to the final decision of the Criminal case as well as the departmental enquiry. 4. D.G.P is called to respond. Affidavit limited to para quoted in foregoing text be relied, on 'or before 10.7.2019. 5. S.O to 10.7.2019. Learned P.O is directed to communicate this order to the Respondents.
	(P.N Dixit) (A.H Joshi, J.) Vice-Chairman (A) Chairman

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O.A. No.602 of 2019

A.R. Sanap & Ors. Vs.

.. Applicants

The State of Maharashtra & Ors.

..Respondents

Heard Shri Sushant Valimbe, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 31.7.2019.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Ld. CPO refers to Exhibit I page 55-65 of OA enclosing the information furnished by Advocate General, Maharashtra. She seeks clarification from where the same has been obtained. Ld. Advocate for the Applicant is directed to furnish details how the information has been obtained.

Sd/-

(P.N Dixit) Vice-Chairman (A) 5.7.2019

(sgj)

DATE

CORAM :

Hon'b!

APP: Shrid

Advo::

Shrl/Smt. :....

Hon ble Justice Shit A. H. Joshi (Chairman)

- Anolicent

ACHEO D ESSUE Notice

veturnable on 31/7/2019

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

N. Elixit Mamber (A)

5. P. Mancheker

(Advocalte)

versu**s**

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes. Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.122 of 2019	
DATE: $5:22019$ CORAM: Honoble Just Honoble Shri APPEARA ShrivSmt: $5-9$. Man Cheller C.P. J/P.O. for the second status Mal / S.O. to 2 Cl 21 2019. LETE	S.N. Jadhav Vs. The State of Maharashtra & Ors. Heard Shri C.T. Chandratre, he Applicants and Ms. S.P. Manc Presenting Officer for the Responden 2. Ld. Advocate for the appli detailed order was passed by this Tri reply has been filed except stating th Shinde has filed Writ Petition No.459 High Court, Bench at Aurangabad. 3. Reply given by the resp Respondent No.2 is directed to fu action along with legal impediment, if 4. S.O. to 26.7.2019. Steno granted. Ld. CPO is directed to com the respondents. (P Vice-C 5)	Applicant Respondents earned Advocate for the hekar, learned Chie ts. cant submitted that a bunal on 3.4.2019. No at one Shri Pralhad M of 2019 in the Hon'ble pondents is evasive rnish specific plan of any.

WI.A./ILAL/U.A. INU.

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Original Application No.

of 20

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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
	Date : 05.07.2019.
	O.A.No.641 of 2018 with O.A.No.642 of 2018
•	M.V. Mengrati (O.A.No.641/2018) S.B. Khadtare (O.A.No.642/2018) Applicant Versus
	The State of Maharashtra & Ors Respondents
DATE: <u>517112</u> CORAM: Hon'ble Jugace End A. H. Joshi (Chairman) Hon'ble Shid E. A. Carl - Honor (A) - V/C - A <u>APPEARANC</u> Shri/Smt.: <u>PUM.a.M. Mahaja.n</u> Advocate for the Applicant Shri/Smt.: <u>9-P. Man Chever</u> C.P. D/P.O. for the Respondent/s MJJ S.O. to <u>1.619/2819</u> .	 Heard Smt. Punam Mahajan, learned Advocation for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. With time available with the Tribunal this O./ cannot be decided in short while. Hence, let this O./ come up for hearing in due course. Adjourned to 16.09.2019. Sd/- Sd/- Sd/- Konte (P.N. Dixit) (A.H. Joshi, Japan)
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