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

DATE : 6/9/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
Shri A.A. Desai
Advocate for the Applicant
Shri S.S. Gaikwad
C.P.O. for the Respondents Res. 1 to 4
Punam Mahajan for
Adv. for R.No. 5 & 9.
None for R.No. 6 to 8.
S.O. to 8/9/16.
with
M.A. 181/16
M.A. 210/16
M.A. 212/16.

R.A.8 & 11/2016 & O.A.289/2015

Shri S.B. Pawar & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

Heard Shri A.A. Desai, the learned Advocate for the Applicants, Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents 1 to 4 and Smt. Punam Mahajan, the learned Advocate for the Respondents 5 to 9. None for Respondents 6 to 8 though they are served.

The submissions of Mr. Desai, the learned Advocate for the Applicants remained Part Heard. As the record was being perused during the course of the submissions, it appeared to us that by a communication of 21st April, 2016, the Transport Commissioner, State of Maharashtra to the Principal Secretary to the Home (Transport) in its Para 7 in effect sent proposal indicating probably that the present Review Applicants can also be accommodated in view of the existing vacancies and the public money and time spent on their training, etc. It will be proper in our opinion, if the Government places on record as to how it is disposed towards this particular proposal of the Transport Commissioner. It will facilitate, if proper adjudication of these RAs because after-all, the matters are required to be decided on hard facts rather than theories. We keep the RAs pending along with all the pleas and counter pleas and direct the Government to comply.

S.O. to 8th September, 2016. Hamdast.

Sd/- Sd/-

(R.B. Malik) (Rajiv Agarwal)
Member (J) Vice-Chairman
06.09.2016 06.09.2016

(skw)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A.644/2016

Ms. A.A. Pawar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Shri Bandiwadekar, the learned Advocate for the Applicant states that the Applicant does not want to file Rejoinder. Admit. In view of the other matters on similar facts pending before the Division Bench, this matter be also placed before the 2nd Division Bench on 7th September, 2016 along with O.A.321/16.

Sd/-

6.09.16

(R.B. Malik)
Member (J)
06.09.2016

(skw)

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) (A)
APPEARANCE :
Shri/Smt. : A.V. Bandiwadekar
Advocate for the Applicant
Shri/Smt. : N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

Adj. To....Admit

RJ

(G.C.P.) J 2260 (A) (50,000—2-2015)

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

O.A.334/2016

Shri R.K. Shirsath ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant, Smt. K.S. Gaikwad holding for Shri A.J. Chougule, the learned Presenting Officer for the Respondent No. 1 and Shri M.D. Lonkar, the learned Advocate for Respondent No.2.

Affidavit-in-rejoinder taken on record. Admit. Adjourned for hearing to 27th September, 2016.

Sd/- 6.9.16
(R.B. Malik)
Member (J)
06.09.2016

DATE : 6/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi ~~(Chairman)~~
~~Hon'ble Shri M. Rameshkumar (Member)~~ Shri R. B. Malik
APPEARANCE :
Shri/Smt. : A. V. Bandiwadekar
Advocate for the Applicant
Shri /Smt. : K. S. Gaikwad
C.P.O / P.O. for the Respondent/s
Adj. To 27/9/2016

[P.T.O.

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

O.A.889/2016

Dr. A. Najmuddin ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

Mr. Bhise, the learned P.O. is being instructed by Mr. A.M. Patil, Administrative Officer, Commissioner Office. The Applicant is a Medical Officer (bonded candidate). The term of his bond ends today. Today, the learned Advocate for the Applicant invites reference to an earlier interim order in the matter of Staff Nurses in **OA 189/2016 (Ms. Madhuri G. Rane & 18 ors. Vs. The State of Maharashtra and another, dated 14th March, 2016**. Although the post and position may be different, the legal principle basically is the same. The learned P.O. seeks an adjournment of about two weeks for reply. As already mentioned above, the Applicant continues till today at least working as Medical Officer bonded candidate. In as much as the learned P.O. seeks an adjournment to file reply, the position just described is defined as status quo and the parties are directed to maintain it till the date next to the filing of the reply.

Issue notice returnable on 20.09.2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 20th September, 2016. Hamdast.

9.16

Sd/-
(R.B. Malik)
Member (J)
06.09.2016

(skw)

DATE: 06/9/2016
CORAM:
~~Hon'ble Shri~~ ~~Shri J. H. Joshi (Chairman)~~
~~Hon'ble Shri~~ R.B. Malik (Member) (J)
Applicant/s
Shri/Smt. A.V. Bandiwadekar
Advocate for the applicant
Shri/Smt. K.B. Bhise
~~C.P.O.~~ / P.O. for the Respondent/s
~~Adj. To~~ 20/9/2016, Hamdast.
(8)

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A.188/2016

Shri M.J. Garad ... Applicant

Vs.

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

Heard Shri S.K. Chavan, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

Shri S,K. Chavan, the learned Advocate for the Applicant is present. He makes a statement that the Applicant does not want to file Affidavit-in-rejoinder.

See the order of 22nd August, 2016. The OA has already been admitted. It is expedited regard being had to the facts and is listed for final hearing before the appropriate Single Bench on 20th September, 2016.

Sd/-
(R.B. Malik)
Member (J)
06.09.2016

(skw)

DATE: 06/9/2016
CORAM:
Hon'ble Justice ... (Chairman)
Hon'ble ... R.B. Malik (Member)
Adv. for ...
Shri/Smt. S.K. Chavan
Adv. for ...
Shri/Smt. A.J. Chougule
C.P.O./P.O. for the respondent/s
Adj. To 20/9/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A.585/2016

Shri R.S. Bodake ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Affidavit-in-reply taken on record. Admit. To come up in due course. Liberty to mention granted.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

Sd/-

(R.B. Malik)
Member (J)
06.09.2016

(skw)

DATE: 06/9/2016
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) J
APPEARANCE:
Shri/Smt.: A.V. Bandiwalekar
Advocate for the Applicant
Shri/Smt.: N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

Adj. To.....Admit.

[P.T.O.

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

O.A.653/2016

Shri R.H. Dhanapure ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Shri Deshmkh, the learned Advocate for the Applicant states that the Applicant does not want to file Rejoinder. Admit. To come up in due course. Liberty to mention granted.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

Sd/-

(R.B. Malik)
Member (J)
06.09.2016

(skw)

DATE : 06/9/2016
CORAM :
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
~~Hon'ble Shri M. A. Kumar (Member) A~~ R.B. Malik J
ADVOCATE :
Shri ~~Smt.~~ L.S. Deshmukh
Advocate for the Applicant
~~Shri Smt.~~ K.S. Gaikwad
~~C.P.O.~~ / P.O. for the Respondent/s
Adj. To. Admit
(8)

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 6/9/16 CORAM : Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE : ~~Shri/Smt.~~ None for the Applicant Advocate for the Applicant ~~Shri/Smt.~~ Ms. Savita Suryavanshi C.P.O / P.O. for the Respondents Adj. To 4/10/16. for dismissed.	**06.09.2016** **O.A No 195/2015** Shri P.D Bhudhanwar & Ors ... Applicants Vs. The State of Maharashtra & Ors... Respondents None for the Applicant. Heard Ms Savita Suryavanshi, learned Presenting Officer for the Respondents. On last occasion, the Misc Application was allowed for restoration of this O.A on payment of cost of Rs. 500/-. It is not known whether cost has been deposited. O.A may be kept for ~~final~~ dismissal on 4.10.2016. Sd/- (Rajiv Agarwal) Vice-Chairman Akn

[P.T.O.

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

Date : 06.09.2016.

C.A.No.62 of 2016 in R.A.No.14 of 2015 in O.A.No.805 of 2011

L.A. Magdum & Ors. **.... Applicants.**

Versus

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

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

2. In this case notice of Contempt was issued on Shri P.P. Wani, Administrative Officer, Joint Director of Technical Education, is the officer who has filed the affidavit for improper language he has used in the affidavit and explained that he had relied on the Shri Gopal S. Tungar, Deputy Secretary, Law Officer.

3. Shri Gopal S. Tungar, Deputy Secretary (Law) had appeared before this Tribunal on last two occasions and has tendered oral apology and sought time to file written apology.

4. Today Shri Gopal S. Tungar, Deputy Secretary (Law) has tendered hand written apology and duly signed and affirmed. It contains the following statement :-

> "सदर प्रकरणामध्ये उच्च व तंत्र शिक्षण विभागाने शपथपत्राचे प्रारुप तयार करण्यासाठी परिच्छेद निहाय अभिप्राय तयार करुन माझ्याकडे आले असता, सदर प्रकरणामध्ये माझ्याकडून "Ex" हा शब्द वापरण्यात आला. सदर शब्द वापरतांना माझ्याकडून चूक झाली असून, ती मी मान्य करतो व त्याबद्दल मी मा. न्यायधिकरणाची बिनशर्त माफी मागतो. सदर शब्द वापरण्यामध्ये माझा मा. न्यायधिकरणाचा अवमान व्हावा असा उद्देश व हेतू नव्हता व नाही.
>
> सबब सदर प्रकरणामध्ये परिच्छेद निहाय अभिप्राय तयार करतांना झालेली चुक मी मान्य करतो व त्याबदल मी न्यायधिकरणाची पुन्हा माफी मागतो व यापुढें असा प्रकारची चुक होऊ देणार नाही अशी दक्षता घेईन.
>
> (Quoted from apology letter dated 06.09.2016)

5. Expecting the apology to be from the bottom of heart, it is accepted and notice of Contempt is disposed of.

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble Shri A.H. Joshi (Chairman)
Hon'ble Shri ... (Member) A
Shri/Smt. B.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt. K.S. Gaikwad
C.P.O. for the Respondent/s
Adj. To : C.A. disposed of

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 06.09.2016.

O.A.No.161 of 2014 with O.A.No.189 of 2014 with O.A.No.190 of 2014 with O.A.No.968 of 2014

J.H. Kadam (O.A.161/2014)
M.V. Kulkarni (O.A.189/2014)
A.R. Jadhav (O.A.190/2014)
S.P. Bhosale (O.A.968/2014) **.... Applicants.**

Versus

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Ms. S.P. Manchekar, the learned Advocate for Respondent No.5 in O.A.No.968/2014 is absent.

3. Learned P.O. Shri K.B. Bhise for the Respondents prays for time.

4. Time as prayed for is granted.

5. S.O. to 12.09.2016.

(A.H. Joshi, J)
Chairman

prk

DATE: 06/9/2016
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri [illegible] (Member) A
Advocate for the Applicant: Punam Mahajan
Advocate for the Respondent:
Shri K.B. Bhise
C.P.O. / P.O. for the Respondent/s

Adj. To 12/9/2016

(R)

[P.T.O.

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

Date : 06.09.2016.

O.A.No.1063 of 2015

C.V. Alsatwar .... **Applicant.**

Versus

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

1. Heard Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Shri A.S. Deshpande, the learned Advocate for the Applicant is absent.

3. Learned C.P.O. Shri N.K. Rajpurohit for the Respondents states as follows :-

(a) Certain decision is taken by the competent authority to re-examine the claim of Applicant as well as of Private Respondent.

(b) The decision which is arrived at shall be placed on record along with the affidavit.

(c) Three week's time may be granted.

4. Time as prayed for is granted. Affidavit be filed on or before 30.09.2016.

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

6. S.O. to 21.10.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble [illegible] Shri A. H. Joshi (Chairman)
Hon'ble [illegible] (Member) A
ADV. [illegible]
Shri/S. A.S. Deshpande
Advocate for [illegible]
Shri/S. N.K. Rajpurohit
C.P.O./P.O. for the Respondent/s

Adj. To 21/10/2016
Steno copy and Hamdast is allowed.

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

Date : 06.09.2016.

O.A.No.301 of 2016

T.N. Munde .... **Applicant.**

Versus

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. It is seen from the affidavit-in-reply filed by Shri Vijay K. Chaudhari, Under Secretary in the office of Principal Secretary, Water Resources Department it contains the statements as follows :-

> *"20. ....*
> *..... It is denied that the provision under section 4(4)(2) as contended by the applicant in this para is applicable.*
>
> *21. ....*
> *..... It is denied that the provision under section 4(4)(2) as contended by the applicant in this para is applicable.*
>
> *22. ....*
> *..... It is denied that the provision under section 4(4)(2) as contended by the applicant in this para is applicable."*
>
> (Quoted from page 35 to 37 of the O.A..

3. The Principal Secretary, Water Resources Department is directed to file his own affidavit on the following point :-

> Whether he maintains this stand, if he has any other thing to say, he should file appropriate affidavit to that effect.

4. Affidavit on the above point be filed on or before 08.09.2016.

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

6. S.O. to 08.09.2016.

(A.H. Joshi, J.)
Chairman

DATE : 06/9/2016
CORAM :
(Hon'ble Justice Shri A. H. Joshi (Chairman)
(Hon'ble Shri Rajiv Agarwal (Vice-Chairman) A
Advocate for Applicant Punam Mahajan
Shri/Smt. K.S. Gaikwad
C.P.O. / P.O. for the Respondent/s

Adj. To 8/9/2016
Steno copy and Hamdast is allowed.

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

Date : 06.09.2016.

C.A.No.80 of 2013 in O.A.No.414 of 2011

M.R. Shinde **.... Applicant.**

Versus

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

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

2. In view that Writ Petition is filed and direction is issued on 24.02.2014 not to take any coercive action on the basis of impugned order and the Writ Petition is still pending.

3. Learned Advocate Smt. Punam Mahajan for the Applicant request that the Contempt Application be disposed, with liberty to re-agitate the C.A., if occasion arises.

4. C.A. is disposed with liberty as indicated.

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri [illegible] (Member) A
A/P
S/Shri Punam Mahajan
Advocate for Applicant
Shri/Smt. N.K. Rajpurohit
C.P.O / P.O. for the Respondents
Adj. To. CA is disposed.

P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 06.09.2016.

C.A.No.72 of 2014 in O.A.No.834 of 2011

D.D. Mehata & Ors. **.... Applicants.**

Versus

The State of Maharashtra & 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 Smt. Punam Mahajan for the Applicants states as follows :-

> Permission to withdraw this Contempt Application is prayed with liberty to take steps for issue of notices to present incumbents holding various posts give them sufficient and adequate notice and thereafter file fresh C.A..

3. Leave to withdraw, with liberty to re-agitate to file fresh C.A. as prayed for is granted.

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri A. Hanmantharao (Member) A~~
APPT :
Smt. Punam Mahajan
Advocate for the Applicant
Shri N.K. Rajpurohit
C.P.O / A.G.P. for the Respondent/s

Adj. To. C.A. is leave to Withdrawn

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 06.09.2016. **O.A.No.397 of 2016** **S.N. Pawar** .... Applicant. **Versus** **The State of Maharashtra & Ors.** ....Respondents. 1. Heard Shri A.J. Chougule, the learned Presenting Officer for the Respondents. 2. Learned Advocate Ms. S.P. Manchekar for the Applicant is absent. 3. Adjourned to 30.09.2016. **(A.H. Joshi, J)** **Chairman** prk

DATE : 06/9/2016

CORAM :

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

~~Hon'ble Shri M. Ramakumar (Member) A~~

ADVOCATE :

~~S~~/Shri/Ms. Ms. S. P Manchekar

~~Advocate for the Applicant~~

~~S~~hri/~~S~~/Ms. A. J. Chougule

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

, dj. To 30/9/2016

[P.T.O.

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

Date : 06.09.2016.

O.A.No.727 of 2016 with O.A.No.728 of 2016

K.R. Khairnar (O.A.727/2016)
K.D. Kabadi (O.A.728/2016)
.... Applicants.

Versus

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents has tendered the affidavit. It is taken on record.

3. Learned P.O. Smt. K.S. Gaikwad states on instructions from Shri Upasani, Law Officer, Office of Director General of Police :-

> The matter will be discussed by the Special Inspector General of Police (Establishment) with the Director General of Police and the statement would be made on the next date for which at least few days after Anant Chaturdashi is required.

4. In view of this request, adjourned to 20.09.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri B. Mahadevan (Member) A~~
~~Advocate for Applicant~~
~~Shri~~ Punam Mahajan
~~Advocate for Respondents~~
~~Shri~~ K.S. Gaikwad
~~C.P.O. / P.O.~~ for the Respondents/s

Adj. To 20/9/2016

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

CONTEMPT APPLICATION NO.44 OF 2016
IN
ORIGINAL APPLICATION NO.134 OF 2015

B.C. Pardeshi .... **Applicant.**

Versus

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

Shri K.R. Jagdale, the learned Advocate for the Applicant.

Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 06.09.2016.

O R D E R

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

2. Learned P.O. Shri A.J. Chougule for the Respondents prays for time for filing reply.

3. Record shows that some time when this O.A. was heard on 18.07.2016, Respondent No.4 had suo-moto appeared and filed affidavit explaining as to what actions were taken by him and showing those were punctually taken by him.

4. It was expected on remaining Contemnors that they should have filed their response when the notice of time was issued to all the Contemnors.

5. It is shown that the decision was to be taken by the Home Department and for which the Respondent / Contemnor No.1, Shri K.B. Bakshi, Additional Chief Secretary, Home Department was named. Record also shows that the applicant has served personal notice on Shri K.P. Bakshi, Additional Chief Secretary, Home Department on 11.04.2016 and was delivered in the office on 11.04.2016.

6. Notice of this Tribunal was also sent to all the Contemnors on 15.06.2016. Inspite of this no response whatsoever is filed till today.

7. Learned P.O. stated on instructions from Shri Naresh Ingle, Assistant, Home Department, that the Contemnors Shri K.P. Bakshi, Additional Chief Secretary is not concerned in this case.

8. It is shocking as to how the Contemnors can keep quite when the notice in his personal name is issued and an additional notice of contempt is also issued to Shri K.P. Bakshi, Additional Chief Secretary through this Tribunal.

9. Shri K.P. Bakshi, Additional Chief Secretary is directed to file his own affidavit on following points :-

(a) Whether his office has received notice dated 11.04.2016, at page 22 of the Contempt paper book.

(b) Whether his office has received the notice of Contempt issued from the office of this Tribunal, which is dated 16.06.2016.

(c) Date when these notices were brought to his notice.

(d) In case he had received personal notice of Contempt and notice of this Tribunal what are the reasons which have precluded him from responding / replying the notice and appearing before this Tribunal and taking steps to reply this application.

(e) Is he concerned with the issue / involved in this case ?

(f) If he is not involved and if his office has received, what precluded him from responding and bringing before this Tribunal the facts showing that he is not concerned and naming the person who is involved.

(g) What steps he shall take to quick attendance and response / reply to letter / notice of Contempt and to the notice of O.A..

(h) If the affidavit does not come the matter will have to proceed for taking cognizance.

10. Learned P.O. Shri A.J. Chougule prays for steno copy and Hamdast. The same is allowed. Learned P.O. is directed to communicate this order to the Respondents.

11. S.O. to 20.09.2016.

(A.H. Joshi, J.)
Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

M.A.NO.347 OF 2016 IN
ORIGINAL APPLICATION NO.597 OF 2016

DISTRICT : PUNE

P.D. Kokate .... **Applicant.**

Versus

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

Shri H.A. Joshi, the learned Advocate for the Applicant.

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

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 06.09.2016.

O R D E R

1. Heard Shri H.A. Joshi, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. By this Application, the Applicant seeks permission to add Shri Bhagirath Dhansing Bakale as Respondent No.3 and prays for leave to amend for placing on record the reasons and circumstances due to which addition of private Respondent has become necessary.

3. Leave to amend O.A.No.597/2016 as prayed for is granted. Notice to added Respondent be served returnable on 30.09.2016.

4. Learned Advocate Shri H.A. Joshi for the Applicant request that if earlier date is given he would take the notice for service not later than by tomorrow.

5. Issue notice to added Respondent returnable on 30.09.2016.

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

7. 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.. Respondent is put to notice that the case 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. Applicant is directed to file Affidavit of compliance and notice.

10. Notice to Respondent No.3, Shri Bhagirath Dhansing Bakale be deposited in the office of Respondent No.2, Joint Police Commissioner (Admn.), Police Commissioner, Bruhan Mumbai who shall in turn serve the notice to Respondent No.3.

11. S.O. to 30.09.2016.

(A.H. Joshi, J)
Chairman

prk

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 06/9/2016 CORAM : [illegible] (Chairman) R.B.Malik (Member) A Dr.G.Sadavarte K.B.Bhise Adj. To.....MA. is allowed (BJ)	**M.A.346/2016 in O.A.900/2016** **Smt. J.Y. Mohod & Ors. ... Applicants** **Vs.** **The State of Mah. & ors. ... Respondents** Heard Shri Dr. Gunratan Sadavarte, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid. Sd/- (R.B. Malik) Member (J) 06.09.2016 (skw)

[P.T.O.

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

DATE: 06/9/2016
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member)(A)
APPEARANCE:
Shri/ Dr. G. Sadavarte
Advocate for Applicant
Shri/ K.B. Bhise
C.P.O. / P.O. for the Respondents
Adj. To 4/10/2016

O.A.900/2016

Smt. J.Y. Mohod & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri Dr. Gunratan Sadavarte, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 04.10.2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 4th October, 2016.

Sd/-
(R.B. Malik)
Member (J)
06.09.2016

(skw)

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

Date : 06.09.2016.

C.A.No.80 of 2013 in O.A.No.414 of 2011

M.R. Shinde **.... Applicant.**

Versus

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

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

2. In view that Writ Petition is filed and direction is issued on 24.02.2014 not to take any coercive action on the basis of impugned order and the Writ Petition is still pending.

3. Learned Advocate Smt. Punam Mahajan for the Applicant request that the Contempt Application be disposed, with liberty to re-agitate the C.A., if occasion arises.

4. C.A. is disposed with liberty as indicated.

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

prk

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~M. Ramachandran (Member)~~ A
Applicant/s
Shri/Smt. Punam Mahajan
Advocate for the Applicant/s
Shri/Smt. N.K. Rajpurohit
C.P.O./P.O. for the Respondent/s
Adj. To. CA is disposed.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 06.09.2016.

C.A.No.72 of 2014 in O.A.No.834 of 2011

D.D. Mehata & Ors. **.... Applicants.**

Versus

The State of Maharashtra & 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 Smt. Punam Mahajan for the Applicants states as follows :-

> Permission to withdraw this Contempt Application is prayed with liberty to take steps for issue of notices to present incumbents holding various posts give them sufficient and adequate notice and thereafter file fresh C.A..

3. Leave to withdraw, with liberty to re-agitate to file fresh C.A. as prayed for is granted.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 06/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M.A. Lovekar (Member) A~~
APPEARANCE :
~~Shri/Smt.~~ : Punam Mahajan
Advocate for the Applicant
Shri/Smt. : N.K. Rajpurohit
C.P.O / ~~A.P.O~~ for the Respondent/s
Adj. To : CA. is leave to Withdrawn

[P.T.O.