

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>CORAM Honble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <del>Smt. Punam Mahajan</del> Advocate for the Applicant</p> <p><del>Ms. S.P. Manchekar</del> Advocate for the Respondent/s</p> <p>S.O. to <u>25/9/18</u></p> <p><i>[Signature]</i></p>	<p><u>O.A. No.197 of 2018</u></p> <p>T.P. Salunkhe ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks time to file reply.</p> <p>3. S.O. to 25.9.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) Member (A) 6.9.2018</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.198 of 2018

S.N. Shelwane ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

1. Id. CPO seeks time to file reply.
2. S.O. to 25.9.2018.

DATE

6/9/18

CORAM

Shri P.N. DIXIT (Member) A

Sd/-

(P.N. Dixit)  
Member (A)  
6.9.2018

(sgl)

APPEARANCE:

~~by~~ Smt. Punam Mahajan

Advocate for the Applicant

~~by~~ Ms. S.P. Manchekar

Chief Presenting Officer for the Respondents

FILED 25/9/18

*[Signature]*

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

Original Application No.814 of 2018

Smt S.K. Deshmukh

) ....Applicant

Versus

The State of Maharashtra & Ors.

)....Respondent s

Shri A.V. Bandiwadekar, learned Advocate for the Applicant.

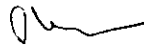
Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

**CORAM :** Shri J.D. Kulkarni, Vice-Chairman

**DATE :** 06.09.2018.

**ORDER**

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. By the order dated 23.8.2018, Exh. 'A', page no.21 the Applicant has been transferred from the post of Deputy Collector, S.D.O. Satara to Sangli in the place of Respondent No.2.
3. Though the Applicant has been relieved from the post, the Respondent No.2 has not yet joined at Satara. The Applicant, therefore, claims that impugned order be stayed and the Applicant be allowed to work at Satara.
4. Learned Advocate for the Applicant submits that even though in the order it has been stipulated that it has been passed as per the provision of 4(4) and 4(5) of the transfer act, 2005, no specific reasons have been given except that this order has been passed due to administrative reasons.
5. Learned Advocate for the Applicant placed reliance on the judgments of this Tribunal in O.A.No.1137 of 2016, O.A.No.450 of 2017 and O.A.Nos.453 to 456 of 2017. This Tribunal has expressed judicial view and also directed that concerned Applicants to be continued in service at that post, inspite of the fact that they were released.
6. Learned C.P.O. for the Respondents submits that the provision of the transfer act has been followed and the Respondents want to file reply affidavit.



7. According to the learned Advocate for the Applicant, the Applicant had undergone training as ERO and also he stood at merit in the said training. Therefore, if the Applicant is shifted Government may be put at loss.

8. The Applicant has also submits that Applicant's son is taking education at 10<sup>th</sup> Std. and this fact was put to the notice of Collector Satara which is Exh. '1', page no.37 of the paper book. She requested the Collector not to relieve her. It is, however, clear that the said representation is not addressed to the Government and Collector is not a authority to consider the request of the Applicant since the transfer order has been passed by the Government.

9. Admittedly, the Respondent No.2 has yet not joined at Satara in place of the Applicant and said post is still vacant. Learned C.P.O. for the Respondents states that the due procedure has been followed for transferring and it will be in the interest of justice to give an opportunity to file reply affidavit. She further submits that the matter be kept on 14.9.2018 on that date reply will be filed positively.

10. In view thereof reply shall be filed on that that positively and in the meantime Respondent No.1 is directed not to insist Applicant to join at Sangli as per the order dated 23.8.2018.

11. The Applicant will be liberty to file separate representation for her retention at Satara for one year considering education problem of her children.

12. S.O. to 14.09.2018.

13. Steno copy and Hamdast is allowed to learned C.P.O.

14. Learned C.P.O. for the Respondents is directed to communicate this order to the Respondents.

Sd/-  
(J.D. Kulkarni) 06/09/18  
Vice Chairman

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>MEMBER Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <u>M.B. Kadam.</u></p> <p>_____ for the Applicant</p> <p><u>Smt. Archana B.K.</u> PO for the Respondent/s</p> <p><u>Admit. To come up for final hearing in due course.</u></p> <p><i>(Signature)</i></p>	<p><u>M.A. No.312 of 2018 in O.A. No.192 of 2018</u></p> <p>N.K. Shinde Applicant Vs. The State of Maharashtra &amp; Ors. Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents:</p> <ol style="list-style-type: none"> <li>This MA is for condoning the delay in filing OA.</li> <li>Respondents have already filed their reply</li> <li>Admit. To come up for final hearing in due course.</li> </ol> <p>Sd/- (F.N. Dixit) Member (A) 5.9.2018</p> <p>(sgj)</p>

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<p>DATE <u>6/9/18</u></p> <p>CORAM Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri <u>A.V. Bandiwadkar</u></p> <p>for the Applicant</p> <p>Shri <u>A.J. Chougule</u> for the Respondent's No. 1 &amp; 3 <u>Penam Mahajan for</u> Advs. to R.No. 4.</p> <p>Place before Division Bench for hearing in due course.</p> <p><i>(Signature)</i></p>	<p><u>R.A. No.14 of 2016 in O.A. No.16 of 2014</u></p> <p>N.A. Chavan ... applicant Vs. The State of Maharashtra &amp; Ors. ... Respondents</p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant, Shri A.J. Chougule learned Presenting Officer for Respondents No.1 to 3 and Shri Penam Mahajan, learned Advocate for Respondent No.4.</p> <p>2. Place before available Division Bench for hearing in due course.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>FORAM Hon'ble Jhd. J.N. DIXIT (Member) A</p> <p>APPEARANCE: <u>Punam Mahajan</u> Advocate for the Applicant</p> <p><u>Ms. S.P. Manchekar</u> Advocate for the Respondents</p> <p>Admitted to <u>18/9/18</u></p> <p><i>(Signature)</i></p>	<p><u>O.A. No.641 of 2018</u></p> <p>M.V. Mengrati ..... Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By consent adjourned to 18.9.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT Member (A) 6.9.2018)</p> <p>(sgj)</p>

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<p>DATE <u>6/9/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> <u>S.S. Dere</u></p> <p>Advocate for the Applicant <u>Ms. S.P. Manchekar</u></p> <p>Advocate for the Respondent/s <u>Admit. To come up for final hearing in due course.</u></p> <p><i>(Signature)</i></p>	<p><u>O.A. No.157 of 2018</u></p> <p>G.D. Darekar ..... Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. To come up for final hearing in due course.</p> <p>3. Liberty to file rejoinder and sur-rejoinder, if any.</p> <p>Sd/- (P. N. Dixit) Member (A) 6.9.2018</p> <p>(sgj)</p>



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<p>DATE <u>6/9/18</u></p> <p>BY <u>Shri P.N. DIXIT (Member) A</u></p> <p>APPEARANCE: <u>S.S. Dere</u></p> <p>For the Applicant <u>Ms. S.P. Manchekar</u></p> <p>For the Respondents <u>Admit. To come up for final hearing in due course.</u></p> <p><u>[Signature]</u></p>	<p>O.A. No.155 of 2018</p> <p>S.M. Ghotekar Applicant Vs. The State of Maharashtra &amp; Ors. Respondents</p> <p>Heard Shri S.S. Dere, learned advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. To come up for final hearing in due course.</p> <p>3. Liberty to file rejoinder and sur-rejoinder, if any.</p> <p>(sgj)</p> <p>Sd/- (P.N. Dixit) Member (A) 6.9.2018</p>

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<p>DATE <u>6/9/18</u></p> <p>FORAM</p> <p>Present by Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:  <del>for</del> <u>M.B. Kadam,</u>  <u>holding for S.S. Dere</u>          Advocate for the Applicant  <del>for</del> <u>Ms. S.P. Manchekar</u>          Advocate for the Respondent's          S.O. to <u>3/10/18</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	<p style="text-align: center;"><u>O.A. No.398 of 2017</u></p> <p>H.B. Desai &amp; Ors. .....Applicants          Vs.          The State of Maharashtra &amp; Ors. ....Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri S.S. Dere, learned Advocate for the applicants and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants seek two weeks time for serving copy of substituted OA.</p> <p>3. S.O. to 3.10.2018.</p> <p style="text-align: right;">Sd/-          (P.N. Dixit)          Member (A)          9.2018</p> <p>(sg)</p>

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<p>DATE <u>6/9/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <del>Shri</del> <u>M.D. Lonkar</u> Advocate for the Applicant</p> <p><del>Shri</del> <u>Ms. S.P. Manchekar</u> Advocate for the Respondents</p> <p>As is O. to <u>27/9/18</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	<p style="text-align: center;"><u>O.A. No.544 of 2018</u></p> <p>V.B. Shende ..... Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim relief is granted by earlier order dated 20.6.2018 passed by this Tribunal. Ld. Advocate for the Applicant informs that interview has been accordingly completed and the interest of applicant is protected.</p> <p>3. Ld. CPO seeks three weeks time to file reply.</p> <p>4. S.O. to 27.9.2018.</p> <p style="text-align: right;">Sd/- P.N. Dixit Member (A) 6.9.2018</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>By <u>Shri P.N. DIXIT (Member) A</u></p> <p>APPEARANCE: <u>Punam Mahajan</u> for the Applicant</p> <p><u>Ms. S.P. Manchekar</u> S.O. for the Respondents</p> <p>App. S.O. to <u>28/9/18.</u></p> <p><i>@/18</i></p>	<p><u>O.A. No.243 of 2018</u></p> <p>M.V. Kalaskar Applicant Vs. The State of Maharashtra &amp; Ors. Respondents</p> <p>Heard Smt. Punam Mahajan, Learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks time to file reply.</p> <p>3. S.O. to 28.9.2018.</p> <p style="text-align: right;">Sd/- (P. N. Dixit) Member (A) 6.9.2018</p> <p>(sgl)</p>

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<p>DATE <u>6/9/18</u></p> <p>BY <u>P.N. DIXIT (Member) A</u></p> <p>APPEARANCE:  <u>M.B. Kadam, holding</u>  <u>for P.V. Patil.</u>  <u>for the Applicant</u></p> <p><u>K.S. Gaikwad</u>  <u>for the Respondents</u></p> <p><u>31/10/18</u></p> <p><i>@/col</i></p>	<p><u>O.A. No.14 of 2018</u></p> <p>Dr. R.s. Shinge ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri P.V. Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that the applicant has expired. He seeks time to bring the legal heirs on record.</p> <p>3. S.O. to 31.10.2018.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit)  Member (A)  6.9.2018</p> <p>(sgj)</p>

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<p>DATE <u>6/9/18</u></p> <p>FORAM</p> <p>For the Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <del>None</del> <u>None for Applicant.</u></p> <p>Advocate for the Applicant</p> <p><del>None</del> <u>Mr. S. P. Manchekar</u> Advocate for the Respondent/s</p> <p>Adj. to <u>18/9/18.</u></p> <p><i>(Signature)</i></p>	<p><u>O.A. No.497 of 2017</u></p> <p>G.D. Pawar Applicant</p> <p>Vs. Respondents</p> <p>The State of Maharashtra &amp; Ors.</p> <p>None for Applicant. Heard Mr. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 18.9.2018.</p> <p>Sd/- (P.N. Dixit Member (A) 6.9.2018</p> <p>(sgl)</p>

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<p>DATE <u>6/9/18</u></p> <p><u>6.07AM</u></p> <p>Present by Shri P.N. DIXIT (Member) A</p> <p><b>APPEARANCE:</b>  <del>Present by</del> <u>A.V. Bandiwadekar</u>  Advocate for the Applicant</p> <p><del>Present by</del> <u>Ms. N.G. Gohad</u>  Advocate for the Respondent/s</p> <p><u>Admit. To come up for final hearing in due course.</u></p> <p><i>(Signature)</i></p>	<p><u>O.A. No.183 of 2018</u></p> <p>A.G. Pardeshi Applicant  Vs. Respondents  The State of Maharashtra &amp; Ors.</p> <p>Heard Shri A.V. Bandiwadekar, Learned Advocate for the Applicant and Miss N.G. Gohad, Learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant files rejoinder and the same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit  Member (A  6.9.2018</p> <p>(sgl)</p>

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<p>DATE <u>6/9/18</u></p> <p>BY <u>P.N. DIXIT (Member) A</u></p> <p>ASSISTANCE: <u>K.R. Jagdale</u></p> <p>Advocate for the Applicant <u>S.D. Dole</u></p> <p>Advocate for the Respondents <u>O.A. is disposed off as withdrawn.</u></p> <p><i>[Signature]</i></p>	<p>Date : 06.09.2018</p> <p>O. A. No.1166 of 20 17</p> <p>S. S. Maske ..... Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. .... Respondents.</p> <p>1. Heard Shri K. R. Jagdale, the learned Advocate for the Applicant and Shri S. D. Dole, the learned Presenting Officer for the Respondents.</p> <p>2. Communication from the Applicant or withdrawal is produced by the learned Advocate for the Applicant and marked as 'X' for identification and taken on record.</p> <p>3. The learned Advocate at the instructions from the the Applicant requests for withdrawal of the Original Application as the prayer has been already become infructuous.</p> <p>3. The request, therefore, is granted and Original Application is disposed off as withdrawn.</p> <p style="text-align: right;"><i>[Signature]</i> Sd/- (P.N. DIXIT) MEMBER (A)</p>



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<p>DATE <u>6/9/18</u></p> <p>By Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: - <del>Shri A.V. Bandiwadkar</del> (sgj)</p> <p>Advocate for the Applicant <del>Shri K.S. Gaikwad</del></p> <p>Advocate for the Respondent/s</p> <p>S.O. to <u>4/10/18</u></p> <p><i>[Signature]</i></p>	<p><u>O.A. No.683 of 2018</u></p> <p>P.D. Pagar Applicant Vs. Respondents The State of Maharashtra &amp; Ors.</p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to file reply.</p> <p>3. S.O. to 4.10.2018.</p> <p style="text-align: right;">Sd/- P.N. DIXIT Member (A) 6.9.2018</p>

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**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>MEMBER Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <del>Shri A.V. Bandiwadkar</del></p> <p>Advocate for the Applicant <del>Ms. S.P. Manchekar</del></p> <p>Advocate for the Respondents</p> <p>DATE TO <u>11/9/18</u></p> <p><i>[Signature]</i></p>	<p>O.A. No. <u>654</u> of 2018</p> <p>S.H. Bobade Applicant Vs. The State of Maharashtra &amp; Ors. Respondents</p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant undertakes to serve copies of page nos.12-A and 12-B inserted by him in the OA to the Ld. CPO as well as the respondents.</p> <p>3. Permission granted. S.O. to 11.9.2018.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>BY <u>Shri P.N. DIXIT (Member) A</u></p> <p>APPEARANCE: <u>R.M. Kolge</u> for the Applicant</p> <p><u>Ms. N.G. Gohad</u> for the Respondent/s</p> <p>DATE <u>28/9/18</u></p> <p><i>[Signature]</i></p>	<p><u>O.A. No.681 of 2018</u></p> <p>M.N. Patel ..... Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Miss N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that copy of OA has not been received. Ld. Advocate for the Applicant promises to provide additional copy of OA to the Ld. PO. Ld. Advocate for the applicant mentions that he has served respondents on 2.8.2018 and filed affidavit of service.</p> <p>3. Ld. PO seeks time to file reply.</p> <p>4. S.O. to 28.9.2018. Request of the Ld. Advocate for the applicant for maintaining status quo will be considered during next hearing.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>6/9/18</p> <p>Mr. PUNAM MAHAJAN (Member) A</p> <p>APPEARANCE: Mr. Punam Mahajan (sgl)</p> <p>Advocate for the Applicant</p> <p>Ms. S.P. Manchekar</p> <p>Advocate for the Respondents</p> <p>3/10/18</p> <p><i>[Signature]</i></p>	<p><u>O.A. No.315 of 2018</u></p> <p>M.R. Mithapalli ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks time to file reply.</p> <p>3. S.O. to 3.10.2018.</p> <p>Sd/- (P.N. Dixit) Member (A) 6 .2018</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>MEMBER</p> <p>By P.N. DIXIT (Member) A</p> <p>APPEARANCE:</p> <p><u>Punam Mahajan</u> for the Applicant</p> <p><u>Ms. S. P. Manchekar</u> for the Respondents</p> <p><u>Request of the Ld. Adv. for the applicant for specific date is kept open.</u></p>	<p><u>O.A. No.436 of 2018</u></p> <p>C.R. Jadhav Applicant Vs. The State of Maharashtra &amp; Ors. Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks one week's time to complete the formality regarding appointment through outsourcing agency.</p> <p>3. As soon as the process is completed the Ld. CPO should inform the same to this Tribunal as well as Ld. Advocate for the Applicant.</p> <p>4. Requests of the Ld. Advocate for the applicant for specific date is kept open.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>COPIES</p> <p>By Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:</p> <p><u>Punam Mahajan</u> Advocate for the Applicant</p> <p><u>Ms. S.P. Manekar</u> Advocate for the Respondent/s</p> <p>DATE TO <u>25/10/18</u></p> <p><i>(Signature)</i></p>	<p><u>O.A. No.357 of 2018</u></p> <p>S.M. Kukdolkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss S.P. Manekar, learned Chief Presenting Officer for the Respondent .</p> <p>2. Ld. CPO informs that copy of OA is not served. Ld. Advocate for the applicant is directed to ensure compliance.</p> <p>3. S.O. to 25.10.2018.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sgl)</p>

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

Tribunal's orders  
M.A. No. 454 of 2018 in O.A. No. 400 of 2017

V.B. Ghogare & Ors. ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicants, Smt. Archana B.K., learned Presenting Officer for Respondents No.1 to 4 and Shri A.V. Bandiwadkar, learned Advocate for Respondents No.5 to 16.

2. Issue notice returnable on 18.9.2018.
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 M.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, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Ld. Advocate for the applicants mentions that the above MA is filed for amending the OA and adding party respondents. Ld. Advocate for Respondents No.5 to 16 seeks two weeks time to file reply. At the request of Ld. Advocate for the applicants, service of notice on Respondents No.5 to 16 is waived as agreed by Ld. Advocate for Respondents No.5 to 16.

DATE 6/9/18

CORAM

Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE:

M.D. Lonkar

Advocate for the Applicant

Archana B.K.

P.O. for the Respondents No. 1 to 4

A.V. Bandiwadkar for

R No. 5 to 16.

S.O. to 18/9/18

*[Signature]*

Sd/-

(P.N. Dixit)  
Member (A)  
6.9.2018

(sgi)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No. 75461/2018
<p>DATE <u>6/9/18</u></p> <p>CORAM Honble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri <u>Abhishek R. Mishra</u> holding for <u>A.S. Gaikwad</u> Advocate for the Applicant</p> <p>Shri <u>Archana B.K.</u> P.O. for the Respondent/s</p> <p>U.O. No. <u>15/10/18</u></p> <p><i>[Signature]</i></p>	<p>D.R. Borde &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Abhishek R. Mishra, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Issue fresh notice returnable on 15.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>(sgj)</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) Member (A) 6.9.2018</p>




**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:  <del>Shri. Abhishek R. Mishra</del>            holding for Shri. A.S. Gaikwad (sgj)            Advocate for the Applicant</p> <p><del>Smt. Archana B.K.</del>            Advocate for the Respondent/s</p> <p><del>MA is disposed off.</del>  </p>	<p><u>M.A. No.423 of 2018 in O.A. No.754 of 2018</u></p> <p>D.R. Borde &amp; Ors. ..Applicants            Vs.            The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Abhishek R. Mishra, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By this MA, the Applicants are seeking leave to sue jointly. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/-            (P.N. Dixit)            Member (A)            6.9.2018</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No. 434 of 2014
<p>DATE <u>6/9/18</u></p> <p>Shri P.N. DIXIT (Member) A.</p> <p>APPEARANCE: <u>Amol Joshi</u>.....</p> <p>for the Applicant</p> <p><u>Archana B.K.</u></p> <p>for the Respondent/s</p> <p><u>11/10/18</u></p> <p><i>(Signature)</i></p>	<p>M.C. Gosavi ..Applicant Vs The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Amol Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Issue fresh notice returnable on 11.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>6/9/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <del>Smt. Amol Joshi</del>..... Advocate for the Applicant</p> <p><del>Smt. Archana B.K.</del> P.P.O. for the Respondent's</p> <p>Ad/ISO to M.A. is allowed.</p>	<p><u>M.A. No.305 of 2018 in O.A. No.434 of 2014</u></p> <p>M.C. Gosavi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents.</p> <p>Heard Shri Amol Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This MA is for recalling the order of dismissal dated 8.6.2018 and restoring the OA to file.</p> <p>3. For the reasons stated therein, MA is allowed and OA is restored to file.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.9.2018</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**Original Application No.819 of 2018**

**Shri M.C. Sail** ) ....Applicant

**Versus**

**The Director General of Police, M.S., Mumbai.** )....Respondents

Smt. P. Mahajan, learned Advocate for the Applicant.

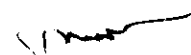
Smt. Archana B.K., the learned P.O. for the Respondents.

**CORAM :** Shri J.D. Kulkarni, Vice-Chairman

**DATE :** 06.09.2018.

**ORDER**

1. Heard Smt. P. Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. The only prayer made in this O.A. is to allow prayer clause 9(a).
3. Learned Advocate for the Applicant submits that application can be disposed of if such directions are issued to the Respondents.
4. Learned P.O. for the Respondents submits that she wants to take instruction in this matter and wants to file short affidavit.
5. In view thereof notice shall be issued to the Respondents.
6. Respondents should make it clear in the reply affidavit or short affidavit as to whether Respondent Nos.1 & 2 shall be ready to consider the representations of the Applicant in view of the judgment in O.A.No.104 of 2014 passed on 9.05.2014.
7. Issue notice before admission returnable on 28.09.2018.
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 28.09.2018.

Sd/-

(J.D. Kulkarni)  
Vice Chairman

004 |

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>01/09/2018</u></p> <p>CORAM : <u>J. D. Kulkarni</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : <u>A.V. Bandiwadker</u> Ld. Adv. with <u>B.A. Bandiwadker/G. A. Bandiwadker</u> Ld. for the Applicant</p> <p><u>A.J. Chougule</u> Ld. for the Respondent/s</p> <p>DATE : <u>01/09/2018</u></p> <p style="text-align: right;"><u>HA</u></p>	<p style="text-align: center;"><u>O.A.453/2018</u></p> <p>Mr. P.S. Walke ... Applicant Vs. The State of Mah. &amp; ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadker, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is insisting for interim relief that the suspension order dated 31.03.2018 be stayed. Since the Applicant is already under suspension, there is no question of staying that order. The question is only, whether that order shall be revoked or quashed.</p> <p>3. The learned Advocate for the Applicant also invited my attention to the order passed by this Tribunal on 09.08.2018 wherefrom it seems that the proposal for reinstatement of the Applicant was before the competent authority and the competent authority was to take decision as expeditiously as possible. For that purpose, four weeks' time was given.</p> <p>4. Thereafter, on 21.08.2018 again, the request for interim relief was made and it was stated that, it will be considered if the reply was not filed on the next date. Accordingly, the matter has been kept today.</p> <p>5. Today, the learned P.O. submits that, so far as proposal regarding reinstatement is concerned, the same is pending before the Hon'ble Minister and the Hon'ble Minister has made some queries which are to be satisfied. The learned P.O. also submits that he will file reply on Monday positively.</p> <p>6. Considering these circumstances, the Respondents are directed to file reply on Monday without fail, failing which the matter will be considered on merit on the point of interim relief.</p> <p>7. S.O. to 10<sup>th</sup> September, 2018.</p> <p style="text-align: right;">Sd/-  (J.D. Kulkarni) Vice-Chairman 06.09.2018</p> <p>(skw)</p>

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

Tribunal's orders

O.A.748/2018

Mr. V.A. Londhe ... Applicant  
Vs.  
The State of Mah. & ors. ... Respondents

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

2. The Applicant vide impugned order dated 6<sup>th</sup> August, 2018 has been transferred from the post of Special Officer in the Office of Assistant Commissioner, Social Welfare Office, Pune on the same post at Satara. The said order is at Page 34 (Annexure 'A4').

3. Vide order dated 04.09.2018, this Tribunal was pleased to direct to take instructions as to whether necessary approval of the competent authority was taken for such transfer and it was stated that, necessary file was pending before the Hon'ble State Minister and the documents will be produced on 6<sup>th</sup> September, 2018.

4. Accordingly, today, the learned P.O. has produced copy of documents before me for perusal from which it seems that the Hon'ble State Minister has directed immediate stay to the impugned order of transfer.

5. It is, however, admitted fact that no order staying the transfer order has been issued by the competent authority.

6. In view thereof, the impugned order of transfer is stayed till further orders.

7. The learned P.O. seeks time to file Affidavit-in-reply. Time granted.

8. S.O. to 25<sup>th</sup> September, 2018. Hamdast.

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(skw)

DATE : 2/9/18

CORAM : J.D. Kulkarni (V/C)  
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE

Shri/Smt. : Punam Mahajan

Advocate for the Applicant

Shri/Smt. : N. G. Gohad

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

Ad./S.O. to 25/9/2018.

B.P.

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

Tribunal's orders

O.A.406/2018

Mr. M.S. Fale ... Applicant  
Vs.  
The State of Mah. & ors. ... Respondents

1. Heard Shri P.S. Bhavake, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.
2. On the request of learned Advocate for the Applicant, fresh notice be issued to Respondent No.4.
3. Issue notice to Respondent No.4 made returnable on 4<sup>th</sup> October, 2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on 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.
6. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand Delivery / Speed Post / Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case, notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. to 4<sup>th</sup> October, 2018.

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(skw)

DATE: 6/9/2018

J.D. Kulkarni (V/C)  
Justice Shri A.T. Joshi (Chairman)

COMPLIANCE

P.S. Bhavake

for the Applicant

A.B. Kololgi

for the Respondents

Advt/S. to 4/10/2018

B.P.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.1013/2017

Mr. P.S. Galkwad ... Applicant

Vs.

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

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant files Rejoinder. The same is taken on record and copies served on the P.O.

3. Since the pleadings are complete, the matter is admitted and kept for final hearing on 24<sup>th</sup> September, 2018.

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(skw)

DATE : 6/9/2018

CORAM : J.D. Kulkarni (V/C)  
~~Hon'ble Justice Shri A.M. Joshi (Chairman)~~

APPEARANCE:

For Applicant: A.V. Bandiwadekar

For Respondent:

S.D. Dole

Presenting Officer for the Respondent/s

Presenting Officer to 24/9/2018.

**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.712/2018**

Mr. S.V. Khatavkar ... Applicant

Vs.

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

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant relied on the Judgment in Civil Appeal No.8427-8428 of 2018 (Arising out of SLP (Civil) No.12112-12113 of 2017) delivered by the Hon'ble Apex Court in State of Tamil Nadu Rep. by Secretary to Govt. (Home) Vs. Promod Kumar IPS & Anr. In the said case, the case of Ajay Kumar Choudhary Vs. Union of India (2015) 7 SCC 291 has been followed observing that the practice of protected suspension must be deprecated.

3. The learned CPO submits that in the present case, the DE against the Applicant ~~is~~ almost at the fag end.

4. Considering these circumstances, it will be in the interest of justice to direct the Respondents to file Affidavit-in-reply.

5. S.O. to 21<sup>st</sup> September, 2018.

DATE : 06/09/2018

CONAM : J.D. Kulkarni (V/C)  
Hon'ble Justice Shri A. H. Joshi (Chairman)

**APPEARANCE:**

For Smt. : K.R. Jagdale

Advocate for the Applicant

Shri/Smt. : S.P. Manchekar

C.P.O. for the Respondent/s

Adi./S.O to 21/09/2018

*skw*

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(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

O.A.1044/2017

Mr. H.G. Chopade ... Applicant

Vs.

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

1. None for the Applicant. Heard Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.

2. The learned P.O. files Affidavit-in-reply on behalf of Respondent No.3. The same is taken on record.

3. S.O. to 25<sup>th</sup> September, 2018.

DATE : 01/09/2018

CORAM : J.D. Kulkarni (V/C)  
Hon'ble Justice Shri A.H. Joshi (Chairman)

**APPEARANCE:**

Shri/Smt. : None for the appl.

Advocate for the Applicant

Shri/Smt. : A.B. Kololgi  
P.O./P.O. for the Respondent/s

Adi./S.O. to 25/9/2018

*[Handwritten signature]*

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(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

O.As.566 to 570/2018

Mr. S.T. Shitole & Ors. ... Applicants

Vs.

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

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.T. Suryawanshi with Smt. A.B. Kololgi, learned Presenting Officers for the Respondents.

2. The Affidavit-in-reply has already been filed in all these matters.

3. The learned Advocate for the Applicants submits that he will go through it and file Rejoinder, if necessary, on 24<sup>th</sup> September, 2018.

4. S.O. to 24<sup>th</sup> September, 2018.

DATE : 01/9/2018

CORAM : J.D. Kulkarni (Jc)  
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri K.R. Jagdale

Advocate for the Applicant

Shri/Smt. S.T. Suryawanshi

P.O. for the Respondent/s

Adm. S.O. to 24/9/2018

(skw)

Sd/-

(J.D. Kulkarni)

Vice-Chairman

06.09.2018

*B.K.*

**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.189/2018**

Mr. S.D. Patil ... Applicant  
Vs.  
The State of Mah. & ors. ... Respondents

1. None for the Applicant. Heard Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.
2. The learned P.O. files Affidavit-in-reply on behalf of Respondent Nos. 1 to 3. The same is taken on record.
3. The learned Advocate for the Applicant seeks time to file Rejoinder. Time granted.
4. S.O. to 26<sup>th</sup> September, 2018.

DATE : 01/9/2018

CORAM : J.D. Kulkarni (Vc)  
Hon'ble Justice Shri A.H. Joshi (Chairman)

APPEARANCE:

For Applicant: None for the app.

Advocate for the Applicant:

Shri/Smt. : S.T. Suryawanshi

Advocate for the Respondent/s

Advocate/S.O. to : 26/9/2018

*skw*

(skw)

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

## FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

**Date:- 06.09.2018**

**M.A.No.460 of 2018 in O.A.No.820 of 2018**

**Smt. V.P. Shitole & Ors. ... Applicants**

**Vs.**

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

1. Heard Smt. P. Mahajan, the learned Advocate for the Applicants and Shri S.D. Dole, the learned Presenting Officer for the Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

Sd/-

(J.D. Kulkarni)  
Vice Chairman

DATE : 6/9/2018

CORAM : J.D. Kulkarni (V/C)  
~~Hon'ble Justice Shri A.H. Joshi (Chairman)~~

APPEARANCE:

Shri/Smt. : MNSM Mahajan

Advocate for the Applicant

Shri/Smt. : S.D. Dole  
C.S/O/P.O. for the Respondent

Adt./S.O. to : M.A. is allowed.

Sh Sha

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

Tribunal's orders

Date:- 06.09.2018

O.A.No.820 of 2018

Smt. V.P. Shitole & Ors.

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

1. Heard Smt. P. Mahajan, the learned Advocate for the Applicants and Shri S.D. Dole, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 11.10.2018.

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 11.10.2018.

DATE : 6/9/2018

CORAM : J.D. Kulkarni (Vice Chairman)  
Honble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Smt. P. Mahajan

Advocate for the Applicant

Shri/Smt. S.D. Dole  
P.O. for the Respondent/s

Advg. to 11/10/2018.

*[Signature]*

Sd/-

(J.D. Kulkarni)  
Vice Chairman

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or Directions and Registrar's orders	Tribunal's orders
<p><b>DATE :</b> <u>01/09/2018</u></p> <p><b>CORAM :</b> <u>J. D. Kulkarni (Vice)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE.</b> Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adt./S.O. to <u>27/09/2018.</u></p> <p style="text-align: right;"><i>B.T.</i></p>	<p style="text-align: center;"><b><u>M.A.426/2018 in O.A.262/2018</u></b></p> <p><b>Mr. G.G. Waghmare</b> ... Applicant <b>Vs.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for Respondents.</li> <li>2. Issue notice returnable on 27<sup>th</sup> September, 2018.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.</li> <li>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.</li> <li>7. In case, notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 27<sup>th</sup> September, 2018.</li> </ol> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman 06.09.2018</p> <p>(skw)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_ Applicant/s

Advocate \_\_\_\_\_)

versus

The State of Maharashtra and others

..... Respondent/s

Presenting Officer.....)

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

Tribunal's orders

**O.A.703 to 706/2018**

**Mr. S.P. Gaurkar & Ors. ... Applicant's**

**Vs.**

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

1. Heard Shri N.P. Dalvi, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicants in these O.As have challenged their respective orders of transfer on the ground that they are of punitive nature. The said contention has been denied by the learned CPO.

3. The Applicant as well as the Respondents are ready to argue the matter on merit in next week. The only request is that the Applicant shall not be insisted to join his post on transfer during next week.

4. In view thereof, the Respondents are directed not to insist the Applicant to join at place of posting vide impugned order dated 14.06.2018 till next date.

5. The matter be kept for final hearing on 10<sup>th</sup> September, 2018.

DATE: 6/9/2018

Signature of J.D. Kulkarni (Vice-Chairman)

APPEARANCE:

N.P. Dalvi

for the Applicant

S.P. Manchekar  
for the Respondents

Adj./S.O. to 10/9/2018

*(Handwritten signature)*

(skw)

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

# 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.407/2018

Mr. C.V. Ghare ... Applicant

Vs.

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

1. Heard Shri P.S. Bhavake, learned Advocate for the Applicant, Smt. A.B. Kololgi, learned Presenting Officer for Respondents 1 to 3 and Shri A.S. Shalgaonkar, Advocate for Respondent No.4.

2. The learned Advocate for the Applicant submits that the Respondent No.4 has been served. He has already filed service affidavit.

3. Since nobody appeared for Respondent No.4 today, the learned P.O. submits that she will file Affidavit during the course of the day. Hence, the matter is kept for Rejoinder on 4<sup>th</sup> October, 2018.

4. S.O. to 4<sup>th</sup> October, 2018.

DATE : 01/10/2018

CORAM : J.D. Kulkarni C.V.  
Hon'ble Justice Shri A.H. Joshi (Chairman)

APPEARANCE

Shri/Smt. : P.S. Bhavake

Advocate for the Applicant

Shri/Smt. : A.B. Kololgi

C.P.O./P.O. for the Respondent/s, to 3.

Adv. A.S. Shalgaonkar for R. No.4.

Adv./S.O. to 4/10/2018

(skw)

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

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

Tribunal's orders

O.A.816/2018

Mr. P.S. Tambe & Ors. ... Applicants

Vs.

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

1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. The learned Advocate for the Applicants submits that the Applicants were transferred to various places in view of the order dated 31<sup>st</sup> May, 2018 (Annexure 'B') and were relieved on the same day.

3. In the meanwhile, vide letter dated 02.07.2018 (Annexure 'D'), the competent authority cancelled the said order. However, on the same day, vide Annexure 'E', the stay was granted to the order of cancellation. The Applicants are now nowhere since they have already been relieved and no further order passed in this regard.

4. The learned Advocate for the Applicants submits that on 27.08.2018, the Applicants have filed one representation mentioning therein that, in the earlier case, in case of Smt. Arifa Shaikh, the representation was allowed, and therefore, the Applicant's representation may also be considered. The learned Advocate submits that this application can be disposed of in case directions are issued to Respondent No.2 to take decision on the representation filed by the Applicants within stipulated period. In view thereof, the following order.

5. The O.A. stands disposed of with direction to Respondent No.2 to take decision on the representation filed by the Applicants on 27.08.2018 within one month from the date of this order and the same shall be communicated to the Applicants in writing. It is needless to mention that the Applicant will be at liberty to file separate O.A. in case the representation will not be considered favourably. No order as to costs.

DATE : 09/09/2018

CORAM : J.D. Kulkarni < v/c >  
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri/Smt : L.S. Deshmukh

Advocate for the Applicant

Shri/Smt : N.G. Gohad

Presenting Officer for the Respondent/s

Adj/S/O to : OA stands disposed  
of

SKW

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

8

**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

**M.A.549/2018 in O.A.816/2018**

**Mr. P.S. Tambe & Ors. ... Applicants**

**Vs.**

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

1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.

5. M.A.No.549/2018 is allowed.

**DATE :** 01/09/2018

**CORAM :** J.D. Kulkarni (V/C)  
Hon'ble Justice Shri A.H. Joshi (Chairman)

**APPEARANCE:**

L.S. Deshmukh

Learned Advocate for Applicant

N.G. Gohad  
Presenting Officer for the Respondents

M.A. No. 549/2018

is allowed.

(skw)

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE :</b> <u>01/10/2018</u></p> <p><b>CORAM :</b> <u>J. D. Kulkarni C/JC</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> For App: <u>D. B. Khaire</u> For Res: <u>N. G. Gohad</u> Admitted to: <u>01/10/2018</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><b><u>O.A.No.755/2018</u></b></p> <p><b>Mr. V.V. Shinde</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice returnable on 4<sup>th</sup> October, 2018.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 4<sup>th</sup> October, 2018.</li> </ol> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman 06.09.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....) )

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

O.As.351 & 352/2018

Mr. M.A. Patil & Anr. ... Applicants

Vs.

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

1. Heard Shri R.M. Kolge, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant files Rejoinder in both the O.As. The same is taken on record.

3. Since the pleadings are complete, the matter is admitted and kept for final hearing on 27<sup>th</sup> September, 2018.

4. S.O. to 27<sup>th</sup> September, 2018.

**DATE :** 09/2018

**CORAM :** J.D. Kulkarni ✓✓✓  
Hon'ble Justice Shri A. H. Joshi (Chairman)

**APPEARANCE:**

Shri/Smt. R.M. Kolge

Advocate for the Applicant

Shri/Smt. : N.G. Gohad  
P.O./P.O. for the Respondent/s

Adj./S.O. to 27/9/2018

*[Signature]*

Sd/-

(J.D. Kulkarni)  
Vice-Chairman  
06.09.2018

(skw)

Office Notes. Office Memoranda of Coram, Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>09/2018</u></p> <p>CORAM : <u>J. D. Kulkarni</u> (Vice) Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE:</p> <p>Shri/Smt. : <u>N.P. Dalvi</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>N.G. Gohad</u> P.O./P.O. for the Respondent/s</p> <p>Adi./S.O. to <u>Issue notice returnable</u> <u>on 4/10/2018.</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	<p style="text-align: center;"><u>O.A.807/2018</u></p> <p><b>Dr. C.K. Ghorpade</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri N.P. Dalvi, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. issue notice returnable on 4<sup>th</sup> October, 2018.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 4<sup>th</sup> October, 2018.</li> </ol> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman 06.09.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**ORIGINAL APPLICATION NO.802 OF 2018**

DISTRICT : PUNE

**S.T. Ghodake**

**....Applicant.**

**Versus**

**The State of Maharashtra & Ors.**

**.....Respondents.**

Shri L.S. Deshmukh, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 06.09.2018

**J U D G M E N T**

1. Learned Advocate for the Applicant Shri L.S. Deshmukh prays for leave to amend for substitution of the present O.A..
2. Leave to amend for substitution as prayed for is granted.
3. Paper to be substituted is tendered. The same is accepted.
4. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
5. Issue notice before admission returnable on 30.10.2018.
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 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.



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. In case notice is not collected within seven 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.

11. Heard on interim relief. Applicant has pointed out that :-

- (a) Applicant belongs to S.C. category.
- (b) Applicant has secured 47.50 marks in preliminary exams.
- (c) Cut off for open female is 28 marks and cut off for SC female is 50 marks.
- (d) Applicant is liable to be placed in open competition category in view of her marks, which is denied relying on the General Administration Department's circular dated 13.08.2014.
- (e) In view of law as is reiterated in case of **Asha Ramnath Gholap V. President, District Selection Committee/Collector, Beed and others, 2016 (3) ABR 376 (Aurangabad Bench)**, Applicant cannot be denied chance in open merit.

12. In view of the foregoing facts and law as it stands, it is necessary in the interest of justice that the applicant be permitted for written test of main examination of Agricultural Officer etc. furtherance to advertisement No.36/2018 to be able to compete in open competition as well.

13. Hence, ad-interim relief is granted in terms of prayer which reads as follows :
- “10. **Pending hearing and final disposal of the Application :-**  
(A) *Direct the Respondents to allow the Applicant to apply for main Examination, issue Hall ticket and also allow the Applicant to appear for main examination, which is scheduled to be held on 8<sup>th</sup> September, 2018 in pursuance of the advertisement No.36/18 dated 24<sup>th</sup> July, 2018.*”  
(Quoted from page 8 of the paper book of O.A.)
12. Steno copy and Hamdast is allowed to learned P.O..
13. Learned P.O. is directed to communicate this order to the Respondents.
14. S.O. to 30.10.2018.

SD/-

**(A.H. Joshi, J.)**  
**Chairman**

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.821/2018</u></b></p> <p><b>Dr. S.S. Lahade</b> ... Applicant</p> <p align="center"><b>Vs.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Sakolkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.</li> <li>2. Vide impugned order of suspension dated 9<sup>th</sup> August, 2018, the Applicant has been kept under suspension. It is stated that the Applicant has served for more than 32 years as Medical Officer and has never undergone any DE and has an unblemished service record and is going to retire on 30<sup>th</sup> September, 2018.</li> <li>3. At the fag end of his service, he has received the suspension order which does mention any reason for suspension and even does not state as to what misconduct the Applicant has committed. Admittedly, no show cause notice was also issued to the Applicant.</li> <li>4. The learned Advocate for the Applicant has placed reliance on the Judgment of the Hon'ble High Court at Bombay in Writ Petition No.10674/2015 (Dr. S.S. Vishwekar Vs. The State of Mah. &amp; Ors.), dated 27<sup>th</sup> October, 2015 wherein it was observed as under. <p align="center">"The Petitioner has tendered his resignation on 31<sup>st</sup> August, 2015 which was to take effect from 1<sup>st</sup> September, 2015. Without any show cause notice, the impugned suspension order dated 14<sup>th</sup> October, 2015 is issued. Therefore, at this stage, considering the averments made and to avoid further complications, we are inclined to stay the operation of impugned suspension order dated 14<sup>th</sup> October, 2015 till next date."</p> </li> </ol>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE :</b> <u>6/9/2018</u></p> <p><b>CORAM :</b> <u>J.D. Kulkarni (J.C)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>A.V. Sakalkar</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>A.D. Kolagi</u> P.O. for the Respondent/s</p> <p>Ad/S.O. to <u>7/9/2018</u></p> <p style="text-align: center;"><u>BT</u></p>	<p>5. The learned P.O. submits that she will take instructions from the competent authority in the matter and will make statement tomorrow.</p> <p>6. In view thereof, S.O. to tomorrow i.e. 07.09.2018.</p> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman 06.09.2018</p> <p>(skw)</p>