(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 : 6/11/17 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~ Hon'ble Shri R. B. MALIK (Member) J B.P.Patil APPEARANCE : ~~Shri/Smt.~~ Applicant in person Advocate for the Applicant Shri /Smt. A. J. chougule ~~C.P.O./P.O.~~ for the Respondents Adj. To. S.O. to 7/12/17. Order	**Date : 06.11.2017.** **O.A.No.953 of 2016** **Shri S.S. Kamble ...Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** 1. Heard the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Applicant seeks leave to amend the O.A. Leave is granted to amend the O.A. within one week. 3. S.O. to 07.12.2017. Sd/- **(B. P. PATIL)** **MEMBER (J)** vsm

(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 : 6/11/17 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~ ~~Hon'ble Shri R. B. MALIK (Member)~~ B. P. Patil APPEARANCE : ~~Shri/Smt. :~~ Advocate for the Applicant Shri /Smt. : A. J. chougule C.P.O./P.O. for the Respondents Order passed in the Tribunal's column. ~~Adv. to~~	**Date : 06.11.2017.** **O.A.No.953 of 2016** **Shri S.S. Kamble ...Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** **L.O.** Learned P.O. mentioned before the Hon'ble Court Shri D.S. Jadhav, Administrative Officer in the office of the Divisional Joint Director of Agriculture, Pune, present along with the documents but the applicant left the Tribunal. Learned P.O. is directed to give the documents on next date. Sd/- **(B. P. PATIL)** **MEMBER (J)** vsm

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

DATE : 6/11/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ B. P. Patil
APPEARANCE :
~~Shri/Smt.~~ M. D. Lonkar
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. P. Manchekar
C.P.O./~~P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 4/12/17.

Date : 06.11.2017.

O.A.No.983 of 2017

Shri Kishor J. Shinde & Ors. ...Applicants.

Versus

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

1. Heard Shri M. D. Lonkar, learned Advocate for the applicants and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 04.12.2017.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 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 04.12.2017

Sd/-

(B. P. PATIL)
MEMBER (J)

vsm

(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

Date : 06.11.2017.

M.A.No.457 of 2017
in
O.A.No.983 of 2017

Shri Kishor J. Shinde & Ors. ...Applicants.

Versus

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

1. Heard Shri M. D. Lonkar, learned Advocate for the applicants and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. 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/-

(B. P. PATIL)
MEMBER (J)

vsm

DATE : 6/11/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ J
B. P. Patil
APPEARANCE :
~~Shri/Smt.~~ M. D. Lonkar
Advocate for the Applicant
~~Shri /Smt.~~ Ms. S. P. Manchekar
C.P.O / ~~P.O.~~ for the Respondents
~~Adv. to~~ M.A. is allowed.

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

Date : 06.11.2017.

O.A.No.927 of 2017

Shri G.D. Jadhav ....Applicant.

Versus

The State of Maharashtra & Ors. ..Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 20.11.2017.

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

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

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

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 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 20.11.2017

Sd/-

(B. P. ~~PATIL~~)
MEMBER (J)

vsm

DATE : 6/11/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ B.P. Patil
APPEARANCE :
~~Shri/Smt.~~ : A.V. Bandiwadekar
Advocate for the Applicant
~~Shri/Smt.~~ : Ms. S.P. Manchekar
~~C.P.O / P.O.~~ for the Respondents
~~Adv. to~~ S.O. to 20/11/17.

(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 : 6/11/17 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~ ~~Hon'ble Shri R. B. MALIK (Member)~~ B.P. Patil APPEARANCE : ~~Shri/Smt.~~ : Ms. shital Kasar Advocate for the Applicant ~~Shri/Smt.~~ : Ms. S. Suryawanshi ~~C.P.O./P.O.~~ for the Respondents No. 2&3. N.B. Katore, Adv. for R. No. 1 V.P. Alledy ~~Adj. To~~..... S.O. to 22/11/17.	**Date: 06.11.2017.** **O.A. 510 of 2017** **Ramesh R. Bawkar ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Ms. Shital Kasar, the learned Advocate for the Applicant, Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents No. 2 & 3 and Shri N.B. Katore, the learned Advocate for the Respondent No. 1. 2. Advocate of Applicant is directed to satisfy on the point of maintainability / Jurisdiction under Sec. 15(2) of M.C.S.R. 3. S.O. to 22.11.2017. Sd/- **(B.P. Patil)** **Member (J)** nmn

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

Date: 06.11.2017.

O.A. 1015 of 2017

Shri Deepak B. Kamble ....Applicant.

Versus

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

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

2. Issue notice before admission returnable on 04.12.2017.

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

4. Applicant are 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 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 04.12.2017.

Sd/-

(B.P. Patil,)
Member (J)

nmn

DATE : 6/11/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member[J])~~ B.P. Patil
APPEARANCE :
~~Shri/Smt.~~ : A.V. Bandiwadekar
Advocate for the Applicant
~~Shri/Smt.~~ : K.B. Bhise
~~C.P.O./~~P.O. for the Respondents
~~Add.~~ S.O. to 4/12/17.

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

Date: 06.11.2017.

O.A. 513 of 2017

Hanumant B Sonawane & Ors. ....Applicant.

Versus

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

1. Heard Shri R.G. Panchal, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 04.12.2017.

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

4. Applicant are 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 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 04.12.2017.

Sd/-

(B.P. Patil)
Member (J)

nmn

DATE: 6/11/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ J
B.P.Patil
APPEARANCE:
~~Shri/Smt.~~ R.G. Panchal
~~Advocate for the Applicant~~
~~Shri/Smt.~~ K.B. Bhise
~~C.P.O./P.O. for the Respondents~~
~~Adj to~~ S.O. to 4/12/17.

(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: 06.11.2017.**

O.A. 1000 of 2017

Shri Siddharth H. Ahire ....Applicant.

Versus

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

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Applicant will be heard on the point of maintainability.

3. S.O. to 20.11.2017.

Sd/-

(B.P. Patil)
Member (J)

nmn

DATE : 6/11/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ B.P. Patil
APPEARANCE :
~~Shri/Smt.~~ : J.N. Kamble
Advocate for the Applicant
~~Shri/Smt.~~ : Ms. S.P. Manchekar
C.P.O ~~P.O.~~ for the Respondents

~~Adj. To~~ S.O. to 20/11/17.

(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 **06.11.2017**

O.A No 1019/2017

Dr S.G Gujarathi ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Dr G. Sadavarte, learned advocate for the applicant and Shri N.K Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. In view that interviews are scheduled to be held on 27.11.2017, learned advocate for applicant prays for leave to amend by substitution.

3. Leave to amend by substitution as prayed is granted.

4. Learned Advocate for applicant undertakes to carry out substitution within 7 days.

5. S.O to 15.11.2017.

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

Akn

DATE : 6/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/~~Smt.~~ : Dr. G. Sadavarte
Advocate for the Applicant
Shri /Smt. : N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

Adj. To 15/11/2017.

(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 : 6/11/2017

CORAM :

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

~~Hon'ble Shri M. Ramesh Kumar (Member)~~ A

APPEARANCE :

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri /Smt. : Archana B.K.

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

Adj. To.....16/11/2017.....

Steno copy & Hamdast is allowed to Ld. P.O.

Date : 06.11.2017.

O.A.No.427 of 2017 with O.A.No.428 of 2017

M.B. Bhujbal (O.A.No.427/2017)

G.K. Alhat (O.A.No.428/2017) ....Applicants.

Versus

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

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

2. Commissioner, Social Welfare Directorate, Pune is directed as follows :-

(a) He shall file his own affidavit answering contents of paragraph 6.4 of O.A..

(b) He shall annex to his affidavit copy of an order through which he has been delegated the powers under Section 7 of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

3. Affidavit be filed on or before 16.11.2017.

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

5. S.O. to 16.11.2017.

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

prk

[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

CONTEMPT APPLICATION NO.47 OF 2017

IN

ORIGINAL APPLICATION NO.84 OF 2016

Mrs. Surekha Dattatraya Muluk ..Applicant

Versus

Mr. Sudhir Kumar Shrivastava & Ors. ..Respondents

Shri K.R. Jagdale – Advocate for the Applicant

Miss Savita Suryawanshi – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 6th November, 2017

ORDER

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Ld. PO has tendered affidavit affirmed by Respondent No.2. Purportedly this affidavit is filed to answer to queries posed in order passed on 16.10.2017. Ld. PO has signed the affidavit only for submitting it.

3. Affidavit is taken on record and perused. It is seen that in answer to the queries put by this Tribunal certain additional averments have been made in the affidavit however it is not shown as to whether any steps and measures for streamlining and for avoiding recurrence are taken. Instead of taking preventive and corrective measures Respondent No. 2, seems to

have simply taken action against employees or has made a show thereof and these things are narrated therein.

4. Ld. PO was called to state as to whether Ld. PO subscribes to the contents and text thereof. Ld. PO states that she had suggested to the Respondent No.2 though his representative Shri Krushna Kant Pingle, ACP, the following:

(a) That the affidavit of the Respondent No.2 be redrafted.

(b) The queries raised by this Tribunal be answered first in sequence.

(c) If necessary rest of the averments contained in the affidavit as prepared could be incorporated in affidavit as additional explanation or by way of a separate affidavit.

5. Ld. PO further states that however the respondent no.2 has insisted on filing of the affidavit in the style and form that was already drafted by him and affirmed by Respondent No.2 himself.

6. Law Officer of Commissioner of Police, Navi Mumbai Shri Pramod Jadhav was present. He was called to state as to whether he has rendered some advise. He chooses to be mute.

7. The manner in which the form of affidavit is chosen or is couched, prima facie, tends to show that it is a deliberate attempt made to divert the attention of this Tribunal.

8. Therefore, it is considered necessary and hence the Respondent No.2 is called to show cause as to why he should not be personally saddled to pay cost towards conscious and deliberate effort to divert the attention of this Tribunal from the issue involved, instead of being candid,

transparent and simplicitor in answering the queries and listening to the advise of the Ld. PO.

9. Be it that, Ld. PO's advise is not acceptable. Ld. CPO or any other senior Advocate or Secretary, Law & Judiciary Department could have been consulted. Instead an attempt is made to make a show of some action on subordinates, instead of enforcing discipline and diligence. This Tribunal had noticed grave failure and therefore this Tribunal had made specific queries and it was necessary for the Respondent No.2 to approach the issue politely and sincerely, than to show otherwise.

10. Reply to show cause notice be filed on or before 14.11.2017. The case would be heard apart that if necessary the contemnor may be called to undergo cross-examination or answer some questions on the date of hearing, if such questioning is found and felt essential.

11. S.O. to 15.11.2017.

12. Steno copy and hamdast is allowed. Ld. CPO is directed to communicate this order to the Respondent No.2 as well as to the Director General of Police, the Additional Director General (Administration), Mumbai.

Sd/-

(A.H. Joshi, J.)
Chairman
6.11.2017

Dictation taken by: S.G. Jawalkar.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION 790 OF 2017

DISTRICT : THANE

Shri Subhash Lahanu Chaudhari)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

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

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : Shri Justice A.H Joshi (Chairman)

DATE : 06.11.2017

O R D E R

1. Heard Shri A.V Bandiwadekar, learned advocate for the Applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. It is seen that applicant has averred in paras 6.11 & 6.12 as follows:-

> "6.11) That the aforesaid position is squarely applicable in the present case in so far as the order of posting of the Respondent No. 2 on promotion being issued by the Respondent No. 1 vis-à-vis post of Additional Director is concerned. That on 31.5.2017, the Respondent No. 1

promoted the Respondent No. 2 to the post of Additional Director and therefore, while giving posting to the Respondent No. 2 on promotion, that the provisions of Rule 6(b) of the Rules of 2015 were required to be scrupulously followed and implemented. This is not done either deliberately, malafide or otherwise.

6.12) That in the circumstances stated above and as per the provisions of the above referred Rule 6(b) thereof, that the Respondent No. 1 should have allotted the Nagpur Revenue Division to the Respondent No. 2 after being promoted to the post of Director. Thus there is deliberate malafide, mischievous and calculated attempt on the part of the Respondent No. 1 to help the Respondent NO. 2 by going out of the way and at any cost including at the cost of committing blatant breach and violation of the aforesaid provisions of the said Rules."

3. Above referred crucial averments are not replied, without obtaining prior leave, limited reply subject to filing of additional affidavit, short affidavit is filed.

4. Affidavit at Page Nos 37, 37 & 38 is totally silent on the crucial aspect of the matter averred in paras 6.11 & 6.12 of Original Application which are quoted in foregoing para No. 2.

5. The manner in which affidavit is drafted may prima facie lead to suggest that the officers wish to support the applicant by deliberately omitting to reply crucial averments.

6. If Government has taken conscious decision to post the Respondent No. 2 at Mumbai, this decision ought to be defended in accordance with law, be it that the bureaucracy has reservations.

7. If bureaucracy is of the view that the action taken by the Government cannot stand to the test of judicial scrutiny, they have to adopt the course of bringing to the notice of Government such

situation, repugnancy or contradiction/difficulty instead of remaining supine or non defencive.

8. Under Secretary Shri Satish Mali, was present. He was asked to contact the Secretary of the Department and find out as to whether he would appear and express regrets and take leave to file proper affidavit. Affirmative reply has not come forward.

9. Therefore C.P.O was called to bring to the notice of the Government, i.e. the Hon'ble Minister and the Hon'ble Chief Minister as to the manner in which present O.A is being defended. C.P.O prays for a weeks' time to find out as to what can be done.

10. For response of C.P.O after speaking to the Hon'ble Minister concerned and Hon'ble Chief Minister, S.O to 14.11.2017

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

Sd/-

(A.H Joshi, J.)
Chairman

Place : Mumbai
Date : 06.11.2017
Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2017\Nov 2017\O.A 790.17 Posting order challenged, A.H. Joshi, Chairman, S.B.doc

(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 : 6/11/2017

CORAM :

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

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

APPEARANCE :

Shri/Smt. : time for the applicant.

Advocate for the Applicant

~~Shri~~ /Smt. : Archana B.K

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

~~Adj. To~~ original papers be transferred to n'bad and the case may be listed for hearing on 17/11/2017.

06.11.2017

M.A 1044/2017 in C.P Stamp No. 1045/2017 in O.A No 69/2016

Dr B.G Manoorkar ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. None for the applicant. Heard Ms Archana B.K learned Presenting Officer for the Respondents.

2. This case was transferred from Aurangabad for monitoring the compliance.

3. Dr Satish D. Pawar, Director in the office of Director of Health Services, Mumbai, has filed affidavit reporting that the order has been complied with.

4. Since the case is transferred to Mumbai, and in absence of assistance from the applicant, it is not possible to verify the compliance.

5. Accepting the version of the Respondents to be true, let only the original papers be transferred to Aurangabad and the case may be listed for hearing on 17.11.2017.

Sd/-

(A.H Joshi, J.)

Chairman

Akn

[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

06.11.2017

M.A 235/2017 in C.P Stamp No. 925/2015 in O.A No 517/2013

Dr H.N.S Hashan ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. None for the applicant. Heard Ms Archana B.K learned Presenting Officer for the Respondents.

2. This case was transferred from Aurangabad for monitoring the compliance.

3. Dr Pradeep Vyas, Principal Secretary, Public Health Department, Mantralaya, Mumbai, has filed affidavit reporting that the order has been complied with.

4. Since the case is transferred to Mumbai, and in absence of assistance from the applicant, it is not possible to verify the compliance.

5. Accepting the version of the Respondents to be true, let only the original papers be transferred to Aurangabad and the case may be listed for hearing on 17.11.2017.

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

Akn

DATE : 6/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/Smt. : None for the appl.
Advocate for the Applicant
~~Shri~~/Smt. : Archana B.K
C.P.O / P.O. for the Respondent/s

~~Adj.~~ To The original papers be transferred to A'bad and the case may be listed for hearing on 17/11/2017.

[P.T.O.

(G.C.P.) J 2959 (A) (50,000—3-2017) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharasntra 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

06.11.2017

O.A No 489/2017

Shri N.V Koli ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. None appears even on second call. Heard Shri N.K Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. O.A is dismissed for want of prosecution.

Sd/-

(A.H Joshi, J.)

Chairman

Akn

DATE : 6/11/2017

CORAM :

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

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

APPEARANCE :

Shri/Smt. : time for the app.

Advocate for the Applicant

Shri /Smt. : N.K. Rajpurohit

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

Adj. To : OA is dismissed for want of prosecution.

BJE

(G.C.P.) J 2959 (A) (50,000—3-2017) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

06.11.2017

O.A No 813/2017

Shri R.T Shelar ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri R.T Shelar, applicant in persn and Ms Archana B.K. learned Presenting Officer for the Respondents.

2. Returnable date is enlarged to 12.12.2017.

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

Akn

DATE : 6/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/~~Smt.~~ : R.T. Shelar, applt. in person.
Advocate for the Applicant
Shri /Smt. : Archana B.K.
~~P.O.~~/ P.O. for the Respondent/s

~~Adj. To~~ Returnable date is enlarged to 12/12/2017.

(G.C.P.) J 2959 (A) (50,000—3-2017) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

06.11.2017

O.A No 708/2017

Shri C.R Waydande ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri J.N Kamble, learned advocate for the applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

2. Learned Advocate for applicant states that in view of order passed by Commissioner of Animal Husbandry on 20.9.2017, applicant is posted at Indapur, Dist-Pune and applicant is satisfied with said posting.

3. Hence O.A is disposed.

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

DATE : 6/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
~~Shri/Smt.~~ : J.N. Kamble
Advocate for the Applicant
Shri /~~Smt.~~ : A.J. Chougule
C.P.O / P.O. for the Respondent/s

Adj. To. Hence OA is disposed.

Akn

[P.T.O.

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

O.A. No.783 of 2016

Shri L.Y. Bhagale ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. None for the Applicant.

2. It is seen that applicant's claim/case for promotion is pending.

3. Principal Secretary, Urban Development Department is directed as follows:

(i) He shall call for and himself read entire case papers of file pertaining to applicant's claim for promotion which appears to be pending as is evident from Exhibit 'I', page 44 of paper book of OA.

(ii) After perusal, he shall form opinion as to whether there exists any legal impediment in deciding it.

4. If there be no legal impediment, the Principal Secretary, UDD should get applicant's case processed and get it decided.

5. He shall file his own affidavit as to outcome, on next date.

6. S.O. to 27.11.2017.

Sd/-
(A.H. Joshi, J.)
Chairman
6.11.2017

(sgj)

DATE : 6/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member)~~ A
APPEARANCE :
Shri/Smt. : None for the appl.
Advocate for the Applicant
Shri /Smt. : A.J. Chougule
C.P.O / P.O. for the Respondent/s

Adj. To 27/11/2017.

(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 : 06.11.2017.

O.A.No.420 of 2017

A.A. Mohite & Ors. ....Applicants.

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant prays for leave to delete Respondent No.5..

3. Leave as prayed for granted.

4. Reserved for orders.

Sd/-

(A.H. Joshi J.)
Chairman

prk