

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

Tribunal's orders

**06.12.2017**

**O.A No 1131/2017**

Shri Appasaheb U. Chavan, ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T Chandratre, learned for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 2.1.2018.

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

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

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

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

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. S.O to 2.1.2018.

**DATE :** 6/12/2017

**CORAM :**

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

**APPEARANCE:**

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad  
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 2.1.2018

*BT*

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

Akn

Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
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**06.12.2017**

**O.A No 1131/2017**

Shri Appasaheb U. Chavan, ... Applicant  
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The State of Maharashtra & Ors ... Respondents

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8. S.O to 2.1.2018.

Sd/-

(A.H Joshi, J.)  
Chairman

Akn

**DATE :** 6/12/2017

**CORAM :**

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

**APPEARANCE:**

Shri/Smt. C. T. Chandratre

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to 2/1/2018

*B.T.*

**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

06.12.2017

O.A No 976/2017

Shri N.R Chaugule ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned Advocate for applicant prays for leave to amend and add annexures.

3. Leave to amend and add annexures as prayed by the applicant is granted.

4. Learned Advocate for applicant states that applicant has submitted a representation and a direction be issued to the Respondent to decide it.

5. It is hope that in case there be no legal impediment, applicant's representation be considered.

6. S.O to 4.1.2018.

**DATE :** 6/12/2017

**CORAM :**

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

**APPEARANCE:**

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to 4/1/2018.

*BTE*

Sd/-

(A.H Joshi, J.)  
Chairman

Akn

**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><b>DATE :</b> <u>6/12/2017</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.C./PO for the Respondent/s</p> <p>AG/S.O. <u>13/12/2017</u></p> <p style="text-align: right;"><i>BTE</i></p>	<p><b>06.12.2017</b></p> <p><b><u>C.A 62/2017 in O.A No 1142/2016</u></b></p> <p>Shri D.B Karnale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned for the applicant and Ms Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O, S.O to 13.12.2017</p> <p style="text-align: right;">Sd/- (A.H Joshi, <i>AJ</i>) Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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6/12/17.

Conam - Hon'ble B.P. Patil (MT)

Shri U.R. Mankapure Adv for the applicants.

Shri K.B. Bhise P.O. for the respondents

Heard

~~order~~ order passed in Tribunal column

So to 20/12/17.

with  
OA 23/17 }  
OA 24/17 }

→

**O.A. No.974 of 2016**

**with**

**O.A. Nos. 23 & 24 of 2017**

**Mr. S.N. Salunkhe & Ors. ... Applicants**

**Vs.**

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

Heard U.R. Mankapure, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Learned P.O. has submitted that the S.D.O. has rejected the candidature of the applicants by passing the impugned order. He has submitted that he has no instruction as to whether the S.D.O. has appointed any candidate who stood second in the merit list as Police Patil. Therefore, he seeks two weeks time to file the Affidavit-in-Reply and to take instructions of what further steps has been taken by the S.D.O. regarding appointment of the Police Patil of the concerned village.

S.O. to 20.12.2017.

Sd/-

(B. P. Patil)  
Member (J)  
06.12.2017

(vsm)

**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>6/12/17. Coram - Hon'ble Shri B.P. Patil (M.J.) Shri S.D. Chavan Adv for the applicants. Smt Archana B.K. P.O. for the respondents. Heard order passed by Tribunal Column S.O. 14/12/17. 2</p>	<p align="center"><b>M.A. No. 439 of 2017 In O.A. No. 946 of 2017</b></p> <p><b>Shri I.N. Sayyed &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Shri S.D. Chavan, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>The applicants have filed the O.A. seeking relief of granting deemed date of promotion and second benefit as per the Assured Career Progress Scheme.</p> <p>The applicants have filed the present M.A. for granting permission to sue jointly. Each of the applicants have separate cause of action as there date of appointments are different. Each of the applicants has become eligible to claim benefits under ELSS on completion of 24 years of service. Therefore, in my view, each of the applicants has filed separate application. It has been submitted on behalf of the applicants that one of the applicant is widow of the government employee who is dead and some of them are retired.</p> <p>At this stage, learned Advocate for the applicant has sought time to satisfy the Tribunal on this point. Hence time granted.</p> <p align="center">S.O. to 14.12.2017.</p> <p align="right">Sd/- (B. P. Patil) Member (J) 06.12.2017</p> <p>(vsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATIONS NO.1091/15, 1118/15, 1119/15, 1120/15,  
1124/15, 1125/15, 1126/15, 1128/15, 1129/15, 1130/15, 3/16,  
4/16, 28/16, 29/16, 32/16, 33/16, 34/16, 35/16, 62/16, 67/16,  
144/16 and 148/2016.**

Dr. K.D. Lohite & Ors.

..Applicants

Versus

The State of Maharashtra & Ors.

..Respondents

Shri Abhijeet A. Desai – Advocate for the Applicants

Miss S.P. Manchekar – Chief Presenting Officer for the Respondents

Shri D.B. Khaire – Special Counsel for M.P.S.C.

CORAM : Shri Justice A.H. Joshi, Chairman

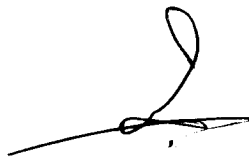
DATE : 6<sup>th</sup> December, 2017

**ORDER**

1. Heard Shri Abhijeet A. Desai, learned Advocate for the Applicants, Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri D.B. Khaire, learned Special Counsel for M.P.S.C.

2. These group of OAs are mentioned for urgent hearing on interim relief. The reasons put forward by learned Advocate are as under:-

- (a) The matters are not being taken for final hearing though applicants made repeated efforts.



- (b) During pendency of OAs Government has taken steps to issue order of appointment of various Dental Surgeons and its necessary effect would be to displace the applicants and terminate their services.
- (c) In all 189 vacancies are filled in and 89 applicants may be displaced.
- (d) Orders of posting applicants at any other place are not issued.

3. When these OAs were heard on previous occasion this Tribunal had orally asked and called upon Shri S.K. Nair, Ld. Special Counsel to state whether the respondents concede for hearing of present OAs (which are liable to be heard by Division Bench) by Single Judge, by consent of the parties. Ld. Special Counsel has sought time for taking instructions. Same course is adopted by Shri D.B. Khaire, Ld. Special Counsel for MPSC.

4. Ld. Special Counsel Shri S.K. Nair is not available because the cases are mentioned at 3.00 p.m.

5. Ld. CPO state that cases be taken up for hearing when Ld. Special Counsel would be available.

6. Heard learned Advocate for the Applicants on interim relief. Ld. CPO has strongly opposed the grant of any interim relief.

7. In order to maintain the status quo, it shall suffice to direct that in the event newly selected candidates are to be appointed and to have resume the post, the applicants shall not be relieved till next date i.e. 14.12.2017.

8. It will be open to the State to withhold the joining of newly appointed candidates as an alternate recourse only till 14.12.2017.



9. These OAs be listed at first serial on the final hearing board. If parties do not agree that OAs be taken up for final hearing, hearing would be done on the question of interim relief.

10. S.O. to 14.12.2017.

11. Steno copy and hamdast is granted to both the sides. Ld. CPO is directed to communicate this order to the respondents and the respondents shall act on steno copy.



Sd/-

(A.H. Joshi J.)  
Chairman  
6.12.2017

Dictation taken by: S.G. Jawalkar.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 295 OF 2017**

**DISTRICT : NAVI MUMBAI**

Shri S.B Nandgaonkar

)...**Applicant**

**Versus**

The State of Maharashtra & Ors

)...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

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

**CORAM : Shri Justice A.H Joshi (Chairman)**

**DATE : 06.12.2017**

**ORDER**

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

2. Learned Presenting Officer states on instructions as follows:-

Applicant's case was considered by Committee and a conscious decision is taken to continue the suspension.



3. Learned P.O has tendered for perusal the information furnished before the Committee. It's copy is retained on record.
4. This Tribunal has perused the papers.
5. It is seen that Commissioner of Police, Navi Mumbai was the senior most officer chairing the Committee.
6. Shri Hemant Nagrale, Commissioner of Police, Navi Mumbai is directed to file his own affidavit furnishing the list of papers placed before the Committee. Respondent No. 2 is further directed to produce the copies of papers if any apart from papers now shown to this Tribunal and were placed before the Committee for taking the decision to continue the suspension.
7. Affidavit be filed on or before 19.12.2017.
8. S.O to 19.12.2017.
9. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondent.

Sd/-

(A.H Joshi, J.)  
Chairman

**Place : Mumbai**  
**Date : 06.12.2017**  
**Dictation taken by : A.K. Nair.**


**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.**

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<p><u>16/12/17.</u></p> <p>Coram - Hon'ble Shri B.P. Patil (m-j)</p> <p>Shri J.N. Kamble Adv. for the Applicant.</p> <p>Smt Archana B.K. P.O. for the Respondents.</p> <p>MA for amendment leave granted.</p> <p>S.O. to 17.1.18.</p> <p></p>	<p><u>O.A. No.778 of 2016</u></p> <p>Shri R.D. Kamble ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri J.N. Kamble, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none"> <li>Applicant seeks leave to file MA for amendment.</li> <li>Leave granted.</li> <li>S.O. to 17.1.2018.</li> </ol> <p style="text-align: right;">Sd/- (B.P. Patil) Member (J) 6/12.2017</p> <p>(sgj)</p>

06.12.2017

O.A No 1129/2017

Mrs Sapana Dhiraj Bilwal, ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

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

2. Issue notice returnable on 14.12.2017.

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

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

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

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

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. Reply to paras 6.18.2 be filed for the present.

9. In the meantime, Respondents shall be free to consider applicant's representation, copy whereof is at Pages 31 & 32.

10. S.O to 14.12.2017.

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

Sd/-

(A.H Joshi, J.)  
Chairman

DATE : 6/12/2017

CORAM :

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

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj.S.G. to 14/12/2017.

Hamdast and steno copy is allowed.