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

Date : 07.09.2016.

O.A.No.881 of 2016

Shri L.Y. Bhagale ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri N.P. Dalvi, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 14.10.2016.

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 Respondent 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. S.O. to 14.10.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16
CORAM :
(Vice-Chairman)
R.B. Malik (Member) A

N.P. Dalvi
Advocate for Applicant/s

N.K. Rajpurohit
C.P.O. for Respondent/s

Adj. To 14/10/16.

(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 : 07.09.2016.

M.A.No.350 of 2016 in O.A.St.No.1722 of 2016 (N'pur)

Shri R.L. Gajbhiye ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri P.S. Wathore, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. In the midst of hearing learned Advocate for the applicant states as follows:-

> Applicant would elect to prepare an appeal before His Excellency the Governor, and in the event he may make statement to consider whether he wants to withdraw the present O.A. filed before the Nagpur Bench.

3. In that background, learned Advocate for the Applicant did not press the present application.

4. M.A. is accordingly dismissed of.

Sd/-

(A.H. Joshi,
Chairman

sba

DATE : 7/9/16

CORAM :

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

Hon'ble Shri M. Ramakrishna (Member) A

APPEARANCE :

Shri P.S. Wathore

Advocate for Applicant

Shri N.K. Rajpurohit

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

Adj. To M.A. is accordingly dismissed.

[P.T.O.

..... 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 : 7/9/16 Coram : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri [illegible] (Member) A Appearance : Shri/Smt. None for the appl. Applicant by Shri/Smt. Shri/Smt. K.S. Gaikwad C.P.O. for the Respondent/s Adj. To..... OA is dismissed.	**Date : 07.09.2016.** **O.A.No.338 of 2016** **Shri A.D. Borade** ...Applicant **Vs.** **The State of Mah. & Ors.** ...Respondents 1. None for the Applicant. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Office report shows that notice to be served on the Respondents is not collected by the Advocate for the Applicant. 3. O.A. is dismissed for want of prosecution. Sd/- (A.H. Joshi,J.) Chairman sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 07.09.2016.

O.A.No.783 of 2016

Shri L.Y. Bhagale **...Applicant**

Vs.

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

1. Heard Shri N.P. Dalvi, the learned Advocate for the Applicant and Smt. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Office report shows that Applicant has not collected the notice for serving on the Respondents.

3. Learned Advocate for the Applicant prays for enlargement of returnable date and undertakes to serve the Respondents expeditiously.

4. Returnable date is extended to 10.11.2016, if notices are not collected within 15 days, O.A. shall stand dismissed without further reference to the Tribunal.

5. S.O. to 10.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member) A~~
APPEARANCE :
Shri/Smt. : N.P. Dalvi
Advocate for the Applicant.
~~Shri/Smt.~~ : S. Suryawanshi
C.P.O / P.O. for the Respondent/s

Adj. To 10/11/16.

[P.T.O.

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

Date : 07.09.2016.

O.A.No.261 of 2016

Smt. R.R. Patil ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri A. Gharate, the learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant and Smt. N.G. Gohad, the learned Presenting Officer for the Respondents No.1 to 4, Shri P.V. Patil, the learned Advocate for the Respondent No.5 and holding Smt. S. Pokale, the learned Advocate holding for Shri A. Sale, the learned Advocate for the Respondent No.6.

2. Office report shows that Applicant has not taken the Tribunal's notice.

3. Shri A. Gharate, learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant states that returnable date may be extended for enabling him to serve the notices.

4. Issue fresh notice returnable on 10.11.2016.

5. If notices are not collected from the office on or before 26.09.2016, O.A. shall stand dismissed without further reference to the Tribunal.

6. S.O. to 10.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishna (Member) A~~
APPEARANCE :
Shri/Smt. Amar Gharate holding for D.V. Sutar
Advocate for Applicant
Shri/Smt. N.G. Gohad
C.P.O. / P.O. for the Respondent/s 1 to 4.
Adv. P.V. Patil for R.No.5.
Adv. To Adv. Swapnali Pokale holding for Adv. A.Sale for R. 6.
S.O. to 10/11/16.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.877/2016

Ms. S.M.More ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri ~~M.D~~. K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit holding for Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 22.09.2016.

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

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

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

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

S.O. to 22nd September, 2016.

Sd/-
(R.B. Malik)
Member (J)
07.09.2016

DATE : 7/9/16
CORAM :
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
Hon'ble Shri R.B.Malik ~~M. Ramesh Kumar (Member) A~~
APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri/Smt. :
C.P.O. for the Respondent/s

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

07.09.2016

O.A No 1059/2015

Dr S.B Deshmukh ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Applicant and Advocate absent. Heard Shri D.B Khaire, learned Special Counsel for Respondent no. 1 and Shri K.B Bhise holding for Shri A.J Chougule, learned Presenting Officer for the Respondents.

The Applicant has been remaining absent for quite sometime. He was absent on 8.1.2016, 29.3.2016, 5.6.2016, 296.2016, 20.7.2016, 3.8.2016 and 29.8.2016.

It is clear that Applicant is no more interested in prosecuting this Original Application and the same is accordingly dismissed in default with no order as to costs.

Sd/- Sd/-

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

Akn

DATE : 7/9/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member) J
APPEARANCE :
~~Shri/Smt.~~ Applicant and
Advocate absent.
~~Advocate for the Applicant~~ K.B. Bhise
holding for A.J. chougule
Shri /Smt. C.J.....
~~C.P.O/~~P.O. for the Respondents
D.B. Khaire, Spl. counsel
for R.No.1
~~Adj. To~~.....
O.A. is dismissed for
default.

[P.T.O.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.64 OF 2016 IN
ORIGINAL APPLICATION NO.179 OF 2013

L.T. Khopkar .... **Applicant.**

Versus

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

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

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

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 07.09.2016.

O R D E R

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

2. The Contemnor, Respondent No.1, Dr. Shri D.R. Kulkarni, working as Medical Superintendent, G.T. Hospital, Mumbai is present and has tendered the apology written in own hand, signed and affirmed by him. Dr. Shri D.R. Kulkarni, Medical Superintendent has expressed apologies for failure on his part from quickly responding to the Contempt notice, which he ought to have done by bringing to Applicant's notice his difficulties and limitations.

3. Apology tendered by Dr. Shri D.R. Kulkarni, Medical Superintendent, G.T. Hospital, Mumbai is taken on record. Apology is seem to be genuine and has come from the heart of the Contemnor.

In this view of the matter, upon accepting the apology, notice of Contempt is recalled in so far as Contemnor, Respondent No.1, Dr. Shri D.R. Kulkarni, working as Medical Superintendent, G.T. Hospital, Mumbai is concerned.

4. Learned P.O. Smt. K.S. Gaikwad for the Respondents states that the draft affidavits of remaining Contemnors are received, however, they are not present.

5. It has to be recorded that bare apology either type-written or computer generated fails to exhibit / demonstrate that the apology has come from the bottom of heart. Such apology creates impression that those are tendered sheerly for the sake of compliance and with object to get out of the action.

6. This Tribunal would expect wiser counsel to prevail on the Contemnors, and it is hoped that the Contemnors file proper affidavits and record what action they would take to avoid the situation of being called in the Contempt.

7. It is hoped that the respondents would act prudently.

8. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for one weeks time.

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

10. S.O. to 06.10.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

versus

The State of Maharashtra and others

(Presenting Officer..... .....) ..... Respondent/s

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

07.09.2016

O.A No 656/2015

Shri D.A Puranik ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.R Joshi, learned advocate for the Applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

Learned Presenting Officer placed on record a communication from the State Government in Home Department dated 7.9.2016 to the learned C.P.O, a copy thereof has been furnished to Mr Joshi and the same is also taken on record of this O.A and for record is marked as Exh-X.

In view of the contents thereof more particularly the contents of para 3 thereof, the same is accepted and the O.A is disposed of. The contents of para 3 thereof are treated as undertaking. It is further directed that the Application Form submitted by the Applicant on 4.8.2015 in whatsoever manner it may be, shall not be held against her for future recruitment.

Original Application is disposed of accordingly with no order as to costs.

Sd/- Sd/-

(R.B. Malik)
Member (J)

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 7/9/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member) J
APPEARANCE:
Shri/Smt. A. R. Joshi
Advocate for the Applicant
Shri/Smt. A. J. Chougule
C.P.O / P.O. for the Respondents
Adj. To: O.A. is disposed of

(P.T.O.

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 : 07.09.2016.

C.A.No.11 of 2016 in O.A.No.1053 of 2013

Shri A.R. Jadhavar **...Applicant**

Vs.

Shri K.P. Bakshi,
A.S.C. Home and Ors. **...Respondents**

1. Heard Smt. Lata Patne, learned Advocate holding for Shri V.B. Joshi, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents Shri N.K. Rajpurohit states on instructions received from Shri P.B. Sawant, Assistant sub Inspector, Director General of Police as follows:-

(a) Amount of Rs.51400/- is creadited in the account of Applicant towards leave period.

(b) For the payment of remaining due, it become necessary to reprodue the bill and it has been submitted on 12.08.2016.

3. For reporting further compliance, S.O. to 22.09.2016.

(A.H. Joshi, J.)
Chairman

sba

[P.T.O.

DATE : 7/9/16
CORAM :
(Chairman)
(Member)A
Lata patne
N.K. Rajpurohit
Adj. To 22/9/16.

(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 : 7/9/16

CORAM :

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

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

APPEARANCE :

Shri/Smt. None for the appl.

Advocate for the Applicant

Shri/Smt. S. Suryawanshi

C.P.O. for the Respondent/s

A.I.j. To..... OA is dismissed.

Date : 07.09.2016.

O.A.No.785 of 2016

Shri V.V. Wadekar **...Applicant**

Vs.

The Director Superintended of Land Record and 1 Other. **...Respondents**

1. None for the Applicant. Heard Smt. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Office report shows that notices are not collected by Advocate for Applicant for serving on the Respondents.

3. Original Application is dismissed for want of prosecution.

(A.H. Joshi, J.)
Chairman

sba

[P.T.O.

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 : 07.09.2016.

M.A.No.350 of 2016 in O.A.St.No.1722 of 2016 (N'pur)

Shri R.L. Gajbhiye ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri P.S. Wathore, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. In the midst of hearing learned Advocate for the applicant states as follows:-

> Applicant would elect to prepare an appeal before His Excellency the Governor, and in the event he may make statement to consider whether he wants to withdraw the present O.A. filed before the Nagpur Bench.

3. In that background, learned Advocate for the Applicant did not press the present application.

4. M.A. is accordingly dismissed of.

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16
CORAM :
Hon'ble Shri A.H. Joshi (Chairman)
Hon'ble ~~Shri ..... (Member)~~ A
Advocate for the Applicant
Shri P.S. Wathore
Advocate for the Respondents
Shri N.K. Rajpurohit
C.P.O.

A dj. To..... MA is accordingly dismissed.

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 : 07.09.2016.

O.A.No.259 of 2016 with O.A.No.260 of 2016

Udyog Sanchanalay Kshetra Sahayak Sanghathana **.... Applicants.**

Versus

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

1. Heard Shri D.B. Khaire, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri K.B. Bhise for the Respondents has tendered affidavits. It is taken on record.

3. Learned Advocate Shri D.B. Khaire for the Applicant prays for time to examine and argue on the next date.

4. In view of the foregoing, adjourned to 14.11.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 7/9/16
CORAM :
(Chairman)
~~(Member)~~ A

D.B. Khaire
Advocate for Applicants

K.B. Bhise
P.O. for Respondents

Adj. To.. 14/11/2016

(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 : 07.09.2016.

O.A.No.606 of 2016

Shri A.R. Kharat **...Applicant**

Vs.

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

1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents prays for two weeks time saying that para-wise remarks are received.

3. Office report shows that Advocate for the Applicant has not collected the notice.

4. It is seen that office report is signed by Research Officer Shri Shende.

5. Registrar is directed to issue suitable warning to the officer concern because he has made the report without reading the Tribunal's notice, order regarding and waiving of service.

6. S.O. to 27.10.2016.

(A.H. Joshi, J)
Chairman

sba

DATE : 7/9/16
CORAM :
Hon'ble [illegible] (Chairman)
Hon'ble [illegible] (A)
Name - B.A. Bandiwadekar
S. Suryawanshi
Adj. To : 27/10/16

[PTO]

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

Date : 07.09.2016.

O.A.No.261 of 2016

Smt. R.R. Patil ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri A. Gharate, the learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant and Smt. N.G. Gohad, the learned Presenting Officer for the Respondents No.1 to 4, Shri P.V. Patil, the learned Advocate for the Respondent No.5 and holding Smt. S. Pokale, the learned Advocate holding for Shri A. Sale, the learned Advocate for the Respondent No.6.

2. Office report shows that Applicant has not taken the Tribunal's notice.

3. Shri A. Gharate, learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant states that returnable date may be extended for enabling him to serve the notices.

4. Issue fresh notice returnable on 10.11.2016.

5. If notices are not collected from the office on or before 26.09.2016, O.A. shall stand dismissed without further reference to the Tribunal.

6. S.O. to 10.11.2016.

(A.H. Joshi, J.)
Chairman

DATE : 7/9/16
CORAM :
Hon'ble Justice Shri A.H. Joshi (Chairman)
~~Hon'ble Shri M. Ra... (Member)A~~
APPEAR. NOTE :
Sh... Amar Gharat holding for D.V. Sutar
A...
Sh... N.G. Gohad
C.A. ... 1-to4.
Adv. P.V. Patil for R.No.5.
~~dj.T~~ ..... Adv. Swapnali Pokale holding for adv. A.Sale for R. 6.
S.O. to 10/11/16.

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Office .....)

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

Date : 07.09.2016.

O.A.No.338 of 2016

Shri A.D. Borade ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. None for the Applicant. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Office report shows that notice to be served on the Respondents is not collected by the Advocate for the Applicant.

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

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16
CORAM :
Hon'ble Justice (Shri) A.H. Joshi (Chairman)
~~Hon'ble Member (Executive/Judicial) (Member) A~~
APPEARANCE :
Advocate for the Applicant : None for the appl.
Advocate for the Respondents :
C.P.O. for the Respondents : K.S. Gaikwad
O.J. To..... OA is dismissed.

(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 : 7/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. [illegible] (Member) A~~ Shri/Smt. : N.P. Dalvi Advocate for the Applicant Shri/Smt. : S. Suryawanshi C.P.O. for the Respondent/s dj. To. 10/11/16.	**Date : 07.09.2016.** **O.A.No.783 of 2016** **Shri L.Y. Bhagale** ...Applicant **Vs.** **The State of Mah. & Ors.** ...Respondents 1. Heard Shri N.P. Dalvi, the learned Advocate for the Applicant and Smt. S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. Office report shows that Applicant has not collected the notice for serving on the Respondents. 3. Learned Advocate for the Applicant prays for enlargement of returnable date and undertakes to serve the Respondents expeditiously. 4. Returnable date is extended to 10.11.2016, if notices are not collected within 15 days, O.A. shall stand dismissed without further reference to the Tribunal. 5. S.O. to 10.11.2016. **(A.H. Joshi, J.)** **Chairman** sba

(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 : 7/9/16
CORAM :
Hon'ble ... (Chairman)
Hon'ble ... (Member) A
Adv. ...
Shri ... K.R. Jagdale .....
Adv. ...
Shri ... K.S. Gaikwad .....
C.P.O. ...

Adj. To 25/10/16

Date : 07.09.2016.

O.A.No.246 of 2016

Shri J.V. Kadam ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant Shri K.R. Jagdale prays for four weeks time to find out whether:-

> Similarly situated persons i.e. Government Servant who was suspended, had succeeded before this Tribunal, before Hon'ble High Court and though the Government has gone before the Hon'ble Supreme Court, such employees' period of suspension is treated as period spent on duty.

3. For making statment, S.O. to 25.10.2016.

(A.H. Joshi, J.)
Chairman

sba

(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 : 7/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Jayaram (Member) A~~ APPEARANCE : Shri/Smt. K.R. Jagdale Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 23/9/16.	**Date : 07.09.2016.** **C.A.No.99 of 2014 in O.A.No.684 of 2011** **Shri D.N. Jadhav ...Applicant** **Vs.** **The State of Mah. & Ors. ...Respondents** 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents Smt. K.S. Gaikwad prays for time on the ground that she wants to contact with the Contemnor as well as the Commissioner of Police and wants to ascertain the steps and stages of compliance. 3. For reporting compliance, S.O. to 23.09.2016. **(A.H. Joshi, J.)** **Chairman** sba

Date : 07.09.2016.

O.A.No.881 of 2016

Shri L.Y. Bhagale ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri N.P. Dalvi, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 14.10.2016.

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

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. 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. S.O. to 14.10.2016.

(A.H. Joshi, J.)
Chairman

sba

DATE : 7/9/16

R.B. Malik (Member) (J)

N P. Dalvi

N.K. Rajpurohit

A.I. To 14/10/16

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

07.09.2016

O.A No 65, 89, 90, 315 & 894/2015

Shri S.C Sonawane & ors ... Applicants
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar with Shri K.R Jagdale, learned advocate for the Applicants and Ms Neelima Gohad with Ms Savita Suyravanshi learned P.O for the Respondents.

The compliance with our order dated 9.8.2016 for which yesterday the matter was got adjourned for today is not forthcoming. Yesterday learned P.O Ms Suryavanshi on instructions from Shri D.R Bhokare, Inspector, Vocational Education and Training, Mumbai, informed us that the only reason why the Applicant in the matters (except O.A 315/2015) were not continued was that there ACRs were not received. Now even that aspect of the matter relapses into uncertainty. The compliance of our order above referred to, as we can visualize it was quite simple, but found difficult by the Respondents.

The compliance must be made on the next date, when the matter shall be, regardless of compliance or non-compliance closed for final orders and in case of non-compliance there shall be the point of consequence of non-compliance.

S.O to 14.9.2016.

Sd/- Sd/-

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

DATE: 7/9/16
CORAM: Shri. RAJIV AGARWAL (Vice-Chairman)
Shri. R.B. MALIK (Member) J
A.V. Bandiwadekar
Ms. N.G. Gohad with Savita Suryavanshi
Adj. To: S.O. to 14/9/16.
PH

Akn

[PTO.

(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 : 7/9/16 CORAM : ~~Hon'ble Shri A. H. Joshi (Chairman)~~ Hon'ble R.B. Malik (Member) A J Applicant Shri A.V. Bandiwadekar Applicant Shri K.B. Bhise C.P.O / P.O. for the Respondent/s Adj. To 23/9/16.	**O.A.724/2016** **Shri E.J. Barshinge ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. On the request of Shri Bandiwadekar, the learned Advocate for the Applicant, the document at Exh. 'B' to the OA is allowed to be withdrawn and substituted by a correct document. S.O. to 23rd September, 2016. Sd/- 7.09.16 (R.B. Malik) Member (J) 07.09.2016 (skw)

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

M.A.336/2016 in O.A.887/2016

Shri M.P. Deshmukh ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Smt. Gaikwad, the learned P.O. is being instructed by Shri K.D. Utale, A.C.P, Dindori.

This matter is placed before me for consideration of interim relief. I have heard Shri A.A. Desai, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

The Applicant is at present working as ASI. He was appointed as Head Constable on 18.7.1992. The cause of action relates to a peril in continuing to hold the post to which he has been promoted because according to the Respondents, he has not been able to submit the Caste Validity Certificate. He was born as OBC although he claims to have applied through Open category. Mrs. Gaikwad, the learned P.O. has submitted a document in the form of first page of the Service Book which shows that his caste was "Kunbi (OBC)". Shri Desai, the learned Advocate for the Applicant counters by submitting that he was born in the caste but he has not applied through OBC category. As of now, there is no material on record and that aspect of the matter is required to be left open for the Affidavits on both the sides to be complete and documents presented. The learned P.O. in stoutly opposing grant of interim relief submits that the Applicant has relied upon an intra-departmental communication at Exh. 'E' (Page 22 of the P.B.) from the Office of the Additional Director General of Police which *inter-alia* mentions that unless the Police Personnel named there in which list the name of the Applicant appears at Serial No.11 submitted the Caste Validity Certificate by 25th August, 2016, the proceedings to revert them would go underway. Smt. Gaikwad submits that, that by itself can give no cause of action to the Applicant and further the Applicant has made a representation which is pending consideration, and therefore, also there is no cause of action to the Applicant to move even for interim relief.

In my opinion, however, once it is clear that there is an arguable case as far as the Applicant is concerned, he cannot be left entirely unprotected and I, therefore, direct that no adverse action shall be taken against the Applicant unless his pending representation is decided one way or the other and its outcome is communicated to him and in case it is adverse to him, it shall not be effectuated for two weeks after the service thereof to the Applicant. All concerned to act in accordance with the Steno-copy hereof. The MA and OA stand adjourned for Affidavits-in-reply with liberty to both the sides to mention the matter earlier with reasonable notice to the other side, if need be.

S.O. to 6-10-16

(R.B. Malik)
Sdl.
7/9/16

DATE : 7/9/16
CORAM :
~~Hon'ble Justice Shri M. Jathi (Chairman)~~
Hon'ble Shri R.B. Malik (Member) ~~A~~ J
APPEARANCE :
Shri/Smt. : A.A. Desai
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 6/10/16.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.877/2016

Ms. S.M.More ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri ~~M.D~~. K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit holding for Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 22.09.2016.

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

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

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

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

S.O. to 22nd September, 2016.

Sd/-

(R.B. Malik) 7/9/16
Member (J)
07.09.2016

DATE : 7/9/16
CORAM :
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
Hon'ble Shri ~~M. Ramesh Kumar (Member) A~~ R.B. Malik (J)
APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri/Smt. :
C.P.O. / P.O. for the Respondent/s

(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 : 7/9/16

CORAM :

~~Hon'ble Justice (Shri) U. Joshi (Chairman)~~

Hon'ble Shri R.B. Malik (Member) A

APPEARANCE :

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj. To 22/9/16.

O.A.901/2016

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

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 22.09.2016.

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

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

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

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

S.O. to 22nd September, 2016.

Sd/-

(R.B. Malik) 7.09.16
Member (J)

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.64 OF 2016 IN
ORIGINAL APPLICATION NO.179 OF 2013

L.T. Khopkar .... **Applicant.**

Versus

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

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

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

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 07.09.2016.

O R D E R

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

2. The Contemnor, Respondent No.1, Dr. Shri D.R. Kulkarni, working as Medical Superintendent, G.T. Hospital, Mumbai is present and has tendered the apology written in own hand, signed and affirmed by him. Dr. Shri D.R. Kulkarni, Medical Superintendent has expressed apologies for failure on his part from quickly responding to the Contempt notice, which he ought to have done by bringing to Applicant's notice his difficulties and limitations.

3. Apology tendered by Dr. Shri D.R. Kulkarni, Medical Superintendent, G.T. Hospital, Mumbai is taken on record. Apology is seem to be genuine and has come from the heart of the Contemnor.

In this view of the matter, upon accepting the apology, notice of Contempt is recalled in so far as Contemnor, Respondent No.1, Dr. Shri D.R. Kulkarni, working as Medical Superintendent, G.T. Hospital, Mumbai is concerned.

4. Learned P.O. Smt. K.S. Gaikwad for the Respondents states that the draft affidavits of remaining Contemnors are received, however, they are not present.

5. It has to be recorded that bare apology either type-written or computer generated fails to exhibit / demonstrate that the apology has come from the bottom of heart. Such apology creates impression that those are tendered sheerly for the sake of compliance and with object to get out of the action.

6. This Tribunal would expect wiser counsel to prevail on the Contemnors, and it is hoped that the Contemnors file proper affidavits and record what action they would take to avoid the situation of being called in the Contempt.

7. It is hoped that the respondents would act prudently.

8. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for one weeks time.

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

10. S.O. to 06.10.2016.

(A.H. Joshi, J.)
Chairman

prk