

(Presenting Officer.....)

..... Respondent/s

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

Date : 07.12.2018

Tribunal's orders

O. A. No.614 of 2014

With

O.A. No.938 of 2016

D. E. Hirde

V. V. Chavan & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Applicant in person (O.A. No.614/14) and Shri S. S. Dere, the learned Advocate for the Applicant (O.A. No.938/16). Smt. Kranti Gaikwad, the learned Presenting Officer and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents. None for Respondent Nos.3 to 7.

2. The applicant in this O.A. is claiming the seniority to the post of ARTO w.e.f. his date of initial appointment and he is also claiming the condition No.2 of order dated 05.06.2017 whereby he was appointed as ARTO as illegal.

3. The Applicant in person submits that the appointment order dated 05.06.2017 has been shown fresh appointment. He wants to challenge this order of fresh appointment by amending the O.A.. He, therefore, seeks time for making necessary amendment along with application for condonation of delay, if any within one month.

4. S.O. to 04.02.2019.

Sd/-

(P. N. DIXIT)
MEMBER (A)

Sd/-

(J. D. KULKARNI)
VICE - CHAIRMAN

VSM

[P.T.O.]

DATE : 7/12/18

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

Hon'ble Shri P. N. Dixit (M/A)

APPEARANCE:

Applicant: Heard appl. in person.

Advocate for the Applicant

Smt. S.P. Manchekar
C.P.C/O for the Respondent/s & Smt. K.S.
Gaikwad Ld. P.O. for Rps

4/2/2019

14/12

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

J 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

M.A.631/2018 in.A.1030/2017 with
M.A.632/2018 in O.A.1031/2017 with
M.A.633/2018 in O.A.1032/2017 with
M.A.634/2018 in O.A.1033/2017 with
M.A.635/2018 in O.A.1034/2017 with
M.A.636/2018 in O.A.1049/2017 with
M.A.637/2018 in O.A.1050/2017

Shri D.S. Patil & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. Kishor Naik holding for Mr. S.S. Prabhune, learned Advocate for the Applicants and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.

2. These M.As. are made for amendment and to implead private Respondent, who has been appointed as Police Patil.

3. In O.As, the challenge is to the appointment of Police Patils. It seems that, one More Vithal Ramchandra has been appointed as Police Patil during the pendency of O.A. and, therefore, he sought to be impleaded as Respondent. It being subsequent event, all the M.As are allowed.

4. The amendments be carried out within one week.

Sd/-

(A.P. Kurhekar)
Member-J
07.12.2018

DATE: 7/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri./Smt. Kishor Naik n/a

S.S. Prabhune,
Advocate for the Applicant

Shri./Smt. A.B. Kololgi

C.P.O./P.O. for the Respondents

Adj. S.O. to M.As. are
allowed.

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

Tribunal's orders
M.A.509/2018 In O.A.1159/2017

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

1. Heard Mr. A.S. Suryawanshi, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.

2. This M.A. is made for condonation of delay in filing O.A. No.1159/2017 which has been filed by the wife of the deceased employee for grant of pensionary benefits. In fact, in O.A, the impugned order is passed by Appellate Authority under R.T.I. dated 18.02.2017. Simultaneously, ^{there} is also a prayer to release retiral dues of the deceased employee. The perusal of record reveals that the husband of the Applicant was removed from service on 21.12.1989 as seen from letter dated 23.12.1998, which is at Page 87 of the P.B.). In the same letter, it is stated that the compassionate pension can be considered under Rule 111 of Maharashtra Civil Services (Pension) Rules, 1982. It seems that, instead of making proper application or representation with the concerned Department, the Applicant was making an application under R.T.I. Act. She did not get required information, and therefore, ultimately, she approached this Tribunal with sole purpose to grant retirement dues now which could be family pension.

3. Along with an application, M.A. is also filed for condonation of delay showing the delay of 4 months. As such, the delay of 4 months shown is apparently incorrect and ~~not~~ not properly calculated.

4. In view of above, the Applicant's Advocate is directed to make appropriate application for condonation of delay for the consideration, so that O.A. can be taken up for hearing.

5. At this stage, the learned Advocate for the Applicant has requested for permission to withdraw M.A.No.509/2018 with liberty to file fresh M.A. showing the correct period of delay and grounds for the condonation of delay.

6. With this direction, the M.A.No.509/2018 is disposed of. Hamdast allowed.

Sd/-

(A.P. Kurhekar)
Member-J
07.12.2018

DATE: 7/12/18

CORAM

Honble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri/Smt. A.S. Suryawanshi

Advocate for the Applicant

Shri/Smt. S. Suryawanshi

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

Adj. S.O. to M.A. is disposed of.

**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 : 07.12.2018

O. A. No. 1014 of 2018

K. A. LoharApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri P. S. Bhavake, the learned Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents.

2. The reply has already been filed.

3. The matter is ready for final hearing. Learned Advocate and learned P.O. agrees to argue the matter on merits. We hope that the respondents will not take any drastic action till that time on any report of the inquiry committee.

4. S.O. to 14.12.2018.

DATE: 7/12/18
CORAM: Shri J. D. Kulkarni (J/C)
Honble Justice Shri A. H. Joshi (Chairman)
Honble Justice P. N. Dixit (M/J)
ADVOCATE:
P. S. Bhavake
Advocate for the Applicant
Shri/Smt. N. G. Gohad
C.P.O./E.O. for the Respondent's
Adj. To 14/12/2018

12/2

Sd/- _____ Sd/- _____
(P. N. DIXIT) (J. D. KULKARNI)
MEMBER (A) VICE - CHAIRMAN

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>DATE: <u>7/12/2018</u></p> <p>CORAM: <u>Shri J.D. Kulkarni C/J</u> Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> Hon'ble Shri <u>P.N. Dixit C/J</u></p> <p>APPELLATE OFFICER: Shri <u>R.M. Kolge</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>Adj. To <u>O.A. stands disposed off.</u></p> <p style="text-align: right;"><i>P.N. Dixit</i></p>	<p>Date : 07.12.2018</p> <p>O. A. No.390 of 2017</p> <p>Shri Ganesh B. TambatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, the learned Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents. 2. The applicant has challenged the order of dismissal dated 07.11.2015 (Exb. D, page 38). The applicant was working as Police Constable has been dismissed from the service as per provision of Article 311 (2) of the Constitution of India. 3. On perusal of the record, it seems that the applicant has filed the appeal / representation against the said order on 31.12.2016 (Copies of the application along with the order are at page nos.52 to 54.). No decision has been taken on that said representation / appeal as yet. 4. Learned Advocate for the applicant submits that the application can be disposed off with direction to the Appellate Authority i.e. Special IG, Kolhapur to decide the representation / appeal filed by the applicant within a stipulated period to which the learned P.O. has no objection. 5. In view thereof the following order:- (a) Original Application stands disposed off with direction to the Respondent No.3 to take decision on the representation filed by the applicant on 06.02.2017 within a period of two months from today. No order as to costs. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. DIXIT) MEMBER (A)</p> <p style="text-align: right;">Sd/- <u>07.12.18</u> (J. D. KULKARNI) VICE - CHAIRMAN <i>(PTO)</i></p>

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

Tribunal's orders
Date : 07.12.2018

O. A. No.237 of 2018

P. D. Badakh

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. A. Devkhile, the learned Advocate for the Applicant. Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents 1 & 2 and Shri N.P. Dalvi, Special Counsel for the M.P.S.C.

2. The applicant has sought following reliefs in this O.A.
"a. Pending the hearing and final disposal of the present Application, this Hon'ble Tribunal may be pleased to direct Respondents to declare the result of the Applicant from the Open Female Category and if Applicant succeed in the same direct the Respondent to allow the Applicant to participate in further selection process from the Open Female Category for the post of Sub-Inspector in State Excise Department.

b. That, this Hon'ble Tribunal may be please to direct the Respondent No.3 not to issue appointment orders pursuant to the result dated 08/01/2018 for the post of Sub-Inspector in State Excise Department during the pendency and final disposal of present D.A.

c. Ad-interim and ex-parte reliefs in terms of prayer clause (a) and (b) above may please be grated."

3. Learned Advocate for the Applicant submits that he is not challenging the process of selection initiated in view of the advertisement No.9/2017. Admittedly, the said recruitment process has already been completed. The applicant, however, is claiming general declaration to the effect that whenever the M.P.S.C. consider the candidature of the applicant, she shall be considered from Open Female Category though she has not filled the application form from Open Female Category. All the claims are vague in nature.

4. Learned Advocate for the applicant could not point out what exact relief the applicant is claiming. Pleadings are also vague.

5. Learned Advocate further submits that the applicant informed him that she is not ready to withdraw the matter and, therefore, necessary order may be passed.

6. In view of the vague prayers and pleadings, we do not find any reason to interfere in the petition as no cause of action even pointed out for filling the Original Application.

7. Hence the following order:-

(a) Original Application stands dismissed with no order as to costs.

DATE : 7/12/2018

CORAM : Shri J. D. Kulkarni (C/1)
Hon'ble Justice Shri A. H. Joshi (Chairman)
P. N. DIXIT (M.A.)

Advocate for the Applicant
A. A. Devkhile

Shri (Cmt) : S. P. Manchekar
C.P.O / R.O. for the Respondent/s 1 & 2.

Adv. N. P. Dalvi for the M.P.S.C.

Adj. To : O.A. stands dismissed
with no order as to costs.

MTE

Sd/-

(P. N. DIXIT)
MEMBER (A)

Sd/-

(J. D. KULKARNI)
VICE - CHAIRMAN

**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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Date : 07.12.2018

O. A. No.823 with 824 of 2018

S. R. Gaikwad

Y. R. Patil

....Applicants

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned Advocate for the Applicants seeks adjournment to place on record properly printed rules.

3. S.O. 09.01.2019.

DATE: 21/12/2018
GOVERNOR Shri J. D. Kulkarni
Chairman
Shri P. N. Dixit (MIA)

L.S. Deshmukh
Shri S.D. Dole
C.O. for the Respondents

Adj. To 9/1/2019
Sd/-

Sd/-
(P. N. DIXIT)
MEMBER (A)

Sd/-
(J. D. KULKARNI)
VICE - CHAIRMAN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s


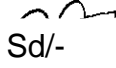
(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 07.12.2018 Tribunal's orders</p>
<p>DATE : 7/12/2018 CORAM : Shri J.D. Kulkarni (J) Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.H. Dixit (M/A) APPEARANCE: Shri/Smt. : R.M. Kolge Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O./P.O. for the Respondent/s Adj./S.O. to : O.A. is therefore stands disposed off as infructuous. </p>	<p>O. A. No.331 of 2017 B. J. BagulApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R. M. Kolge, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the applicant has challenged the order of his dismissal issued by the Respondent No.2 and requested that he may be reinstated in the service on its original place of posting. He is also claiming the declaration that appointment order issued by the Respondent No.2 to the applicant as ECG technician, dated 07.12.2015 be declared as legal and valid.</p> <p>3. Learned Advocate for the applicant submits that during the pendency of this O.A., the applicant has preferred an appeal before the Appellate Authority against the order of dismissal and the said appeal has been allowed and the applicant has now been reinstated. Learned Advocate states that as the cause of action for O.A. does not survive, the applicant's application has become infructuous.</p> <p>4. Learned Advocate further submits that the applicant has received one communication dated 26.09.2018, which is the order of reinstatement. The same is taken on record and marked as Exb. 'X' for identification. He submits that the applicant has not received salary for two months but the said is not the subject matter of this O.A.</p> <p>5. Original Application is, therefore, stands disposed off as infructuous.</p> <p style="text-align: center;">  Sd/- (P. N. DIXIT) MEMBER (A) </p> <p style="text-align: center;"> Sd/- (J. D. KULKARNI) VICE - CHAIRMAN </p> <p style="text-align: right;">[PTO]</p>

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

Tribunal's orders
M.A. No.626 of 2018 in O.A. No.989 of 2018

R.Y. Kadam .Applicant
Vs.
The State of Maharashtra & Ors. .Respondents

Heard Shri Jotiram R. Jadhav, learned Advocate holding for Shri Y.B. Lengare, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 8.1.2019.
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 MA. 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.

DATE : 7/12/2018

CORAM: Shri P.N. Dixit (M/A)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri Jotiram R. Jadhav Adm
holding for Shri Y.B. Lengare
Adm. for Applicant

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

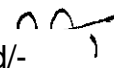
Adj./S.O. to Issue notice
returnable on 8/1/2019

SGI

(sg)

Sd/-

(P.N. Dixit)
Member (A)
7.12.2018

Office Notes, Office Memoranda of Caram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.969 of 2018
<p>DATE : <u>7/12/18</u></p> <p>CORAM : <u>Shri P.N. Dixit (MIA)</u> Hon'ble Justice Shri H. Joshi (Chairman)</p> <p>APPEARANCE: Sd/- <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Sd/- <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/1/2019</u></p> <p style="text-align: right;"><i>MT</i></p>	<p>T.A. Diwan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks four weeks time to obtain certified copy of certain documents. Meanwhile issue notice returnable on 24.1.2019.</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 seven 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) 7.12.2018</p> <p>(sgj)</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>7/12/18</u></p> <p>CORAM : <u>Shri P.N. Dixit (M/M)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S. Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>admit</u></p> <p align="right"><i>HTE</i></p>	<p align="center"><u>O.A. No.247 of 2018</u></p> <p>S.V. Kawathekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 7.12.2018</p> <p>(sg)</p>

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

Tribunal's orders
M.A. No.627 of 2018 in O.A. No.990 of 2018

V.S. Kadam ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Jotiram R. Jadhav, learned Advocate holding for Shri Y.B. Lengare, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 8.1.2019.
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 MA. 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.

DATE : 7/12/2018

CORAM : Shri P.N. Dixit (M/N)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri Jotiram R. Jadhav
holding for Shri Y.B. Lengare
Advocate for the Applicant

Shri S. Suryawanshi
C.P.O./P.O. for the Respondent/s

Adj./S.O. to Issue notice
returnable on 8/1/2019

YB

Sd/-

(P.N. Dixit)
Member (A)
7.12.2018

(sgl)

**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>7/12/2018</u></p> <p>CORAM : <u>Shri P.N. Dixit (M/D)</u> Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u></p> <p>APPEARANCE: Shri <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Smt/Smt. <u>H.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>4/1/2019</u></p> <p align="right"><i>JK</i></p>	<p align="center"><u>O.A. No.693 of 2018</u></p> <p>P.M. Kudal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply.</p> <p>3. S.O. to 4.1.2019.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 7.12.2018</p> <p>(sgj)</p>

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 : 07.12.2018

O. A. No.1100 of 2012

L. S. Sangolkar

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. The applicant has placed on record General Merit List Female as well as merit list for Open Female and OBC Female. Same are placed on record as Annexure 'X' together. The copies of the same have been supplied to the learned P.O.

3. Learned P.O. for the respondents submits that she has to go through this list and wants to place on record some citations.

4. In view thereof, S.O. to 11.12.2018.

Sd/-

(P. N. DIXIT)
MEMBER (A)

(J. D. KULKARNI)
VICE - CHAIRMAN

VSM

DATE : 7/12/18

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

Hon'ble Shri P. N. Dixit (M/A)

Advocate L. S. Deshmukh

Presenting Officer K. S. Gaikwad

NO. 1100 of 2012

P.N.
Dixit

[PTO]

(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 : 07.12.2018

O. A. No.707 of 2018

C. R. Pillay

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Smt. V. Chandrashekar, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents.

2. The applicant is claiming promotion to the DOG Master. The Respondent No.2 is a Competent Authority to consider the claim.

3. Learned P.O. for the respondents states she will file the reply on behalf of the Respondent No.2 positively on 11.12.2018.

4. Hence, the matter be kept on 11.12.2018 for final hearing.

Sd/-

(P. N. DIXIT)
MEMBER (A)

(J. D. KULKARNI)
VICE - CHAIRMAN

VSM

[P.T.O.]

DATE : 7/12/18

CORAM : Shri P. N. Dixit (M.A.)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri/Smt : V. Chandrashekar

Advocate for the Applicant

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

Adj'd O. to 11/12/2018 for
final hearing.

[Handwritten signature]

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

Tribunal's orders

Date : 07.12.2018

O.A.No.1074 of 2018

D.S. BelosheApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. In present O.A. challenge is to the transfer order dated 19.11.2018 whereby the earlier transfer order dated 11.09.2018 has been cancelled.

3. The Applicant was working as Driver in the office of Collector, Satara in Planning Department. By order dated 11.9.2018 he has been transferred to Tahsil Office, Jawali, Dist. Satara. Accordingly, the Applicant joined at Jawali as seen from his joining report dated 24.9.2018. However, thereafter suddenly by order dated 19.11.2018 Collector cancelled his transfer from Satara to Jawali on the ground that his services are required at Satara.

4. As such, it seems to be case of mid-term and mid-tenure transfer and there is no approval of higher Competent Authority as required u/s 4(4)(ii) and 4(5) of ROTA Act, 2005.

5. Learned Advocate for the Applicant submitted that he still working at Jawali and has not been relieved.

6. I am, therefore satisfied that this is fit case to grant status quo as on today.

7. At the request of the learned P.O. for the Respondents one week's time is granted for filing reply.

8. S.O. to 14.12.2018.

9. Steno copy and Hamdast is allowed.

DATE : 7/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

C.P.O./P.O. for the Respondents

Adj./S.O. to 14/12/18

Sd/-

(A.P. Kurhekar)
Member (J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>7/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>14/12/18</u></p>	<p>Date : 07.12.2018 O.A.No.885 of 2018</p> <p>Dr. A.W. VaidyaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. Today, the matter was kept for filing affidavit-in-reply as well as to inform this Tribunal about the decision of placing matter of suspension before Review Committee. 3. Learned P.O. for the Respondents on instructions received from Shri R. Gote, Under Secretary, Public Health Department submits that the matter will be placed before the Review Committee on April, 2019. 4. In present matter, the Applicant is under suspension since 29.10.2016 and as per G.R. dated 14.10.2011, the matter was required to place before Review Committee after one year which is not been done in this matter and still made a statement that it will be placed before the Review Committee in next year. 5. In view of the above, matter needs to be expedited on merit. 6. Learned P.O. for the Respondents submitted that reply will be filed during the course of the day. It be taken on record. 7. As the pleadings are completed, the matter is admitted and adjourned for final hearing. 8. S.O. to 14.12.2018. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</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 Court, Appearance, Tribunal's orders or directions and Register's orders	Tribunal's orders
<p>DATE : <u>7/12/18</u> Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p><u>Ms. N.G. Gohad</u> Advocate for the Respondents</p> <p><u>As per M.A. is allowed.</u></p>	<p>Date : 07.12.2018 M.A.No.228 of 2018 in O.A.No.385 of 2018</p> <p>S.S. RawleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Misc. Application is made to challenge the delay of one month and 12 days wherein challenge is to the punishment in Departmental Enquiry.</p> <p>3. The perusal of record reveals that earlier punishment was imposed by order dated 26.11.2015. However, it has been merged in appellate order dated 17.1.2017 whereby the appeal has been dismissed. Perusal of appellate order further reveals that the copy of the appeal was sent to the Applicant by post on 18.1.2017. The Applicant claims to have received it on 26.10.2017.</p> <p>4. As such, there is no intention^{al} delay on the part of the Applicant. As the O.A. challenge is to the punishment, the delay needs to be condoned so that matter could be decided on merit.</p> <p>5. Misc. Application is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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
<p>DATE: <u>7/12/18</u> CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p><u>Shri. N.G. Gohad</u> P.O. for the Respondent/s</p> <p>Adj. S.O. to <u>13/12/18</u> <u>[Signature]</u> sba</p>	<p>Date : 07.12.2018 O.A.No.385 of 2018 Applicant</p> <p>S.S. Rawle Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Insofar as O.A.No.385 of 2018 is concerned, at the request of the learned P.O. for the Respondents one week's time is granted to file affidavit-in-reply.</p> <p>3. S.O. to 13.12.2018.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</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
<p>DATE: <u>7/12/18</u></p> <p>CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Sd/- Applicant and Advocate <u>absent</u> Advocate for the Applicant</p> <p>Sd/- <u>Ms. S. P. Manchekar</u> C.P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>21/12/18</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 07.12.2018</p> <p>O.A.No.743 of 2018</p> <p>R.D. ThakurApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate both are absent. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. In view of the amendment order passed in M.A.No.622 of 2018, now there is challenge to apprehended termination. Registrar is directed to examine the issue and place the matter before appropriate bench.</p> <p>S.O. to 21.12.2018.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">sba</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>7/12/18</u> CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. A. P. Kurhekar, Member (J) <u>Applicant and Advocates absent.</u> <u>Advocate for the Applicant</u> <u>Shri. S. P. Manchekar</u> <u>C.P.O. for the Respondents</u> <u>Ad/S.O. to M.A. is allowed</u> <i>Qud</i></p>	<p>Date : 07.12.2018 M.A.No.622 of 2018 in O.A.No.743 of 2018 R.D. ThakurApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate both are absent. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. This Misc. Application has been filed to amend the O.A.No.743 of 2018 thereby challenging show cause notice dated 7.9.2018 issued by the Respondent No.2 during the pendency of Original Application.</p> <p>3. Infact, O.A.No.743 of 2018 has been filed for directions to Caste Scrutiny Committee to decide the Applicant's claim of caste verification and to issue caste validity certificate.</p> <p>4. However, during the pendency of proceeding, Respondent No.2 by order dated 7.9.2018 was informed the Applicant that he had failed to submit caste validity certificate within time given to him. He was further informed to submit his explanation for his failure to submit caste validity certificate and failing which his services will be terminated.</p> <p>5. As such, the Applicant now has apprehension of termination of service for non-submission of caste validity certificate.</p> <p>6. On the above background permission is sought to amend the O.A.</p> <p>7. Learned C.P.O. for the Respondents has no objection to amend the O.A.</p> <p>8. Infact, the amended application needs to be allowed as per order as the subsequent development take place during the pendency of this proceeding.</p> <p>9. The Misc. Application for amendment is allowed. Amendment be carried out within two weeks.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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
<p>DATE : <u>7/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>13/12/18.</u></p> <p><i>[Signature]</i></p>	<p>Date : 07.12.2018 O.A.No.953 of 2018</p> <p>B.H. Wadkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos.1 to 3. It is taken on record.</p> <p>3. At the request of the learned Advocate for the Applicant one week's time is granted to file affidavit-in-rejoinder, if any.</p> <p>4. S.O. to 13.12.2018.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</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
<p>DATE : <u>7/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri/Smt. <u>V.R. Kolekar</u> Advocate for the Applicant</p> <p>Shri/Smt. Archana B.K. C.P.O/P.O. for the Respondent/s</p> <p>Adj. S.O. to O.A. was admitted. S.O. to 14/12/18.</p> <p><i>[Signature]</i></p>	<p>Date : 07.12.2018 O.A.No.1099 of 2017</p> <p>V.S. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.R. Kolekar, the learned Advocate for the Applicant, Smt. Archana B.K., the learned Presenting Officer for the Respondent Nos.1 to 3 and Shri K.R. Jagdale, the learned Advocate for the Respondent No.4.</p> <p>2. As the pleadings are completed, the matter is admitted and adjourned for final hearing.</p> <p>3. S.O. to 14.12.2018.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>sba</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
<p>DATE : <u>6/12/18</u> CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>A. V. Bandiwadekar</u> Advocate for the Applicant</p> <p><u>Smt. S. P. Manchekar</u> C.P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>20/12/18</u> Reply filed by R.No. 1 to 3.</p>	<p>Date : 06.12.2018</p> <p>O.A.No.340 of 2018 with O.A.No.343 of 2018 with O.A.No.344 of 2018</p> <p>R.M. Shivsharan & Ors. (O.A.No.340 of 2018) L.S. Kamble & Ors. (O.A.No.343 of 2018) L.V. Babar & Ors. (O.A.No.344 of 2018)</p> <p>.....Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer with Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. has filed affidavit-in-reply on behalf of the Respondent Nos.1 to 3 in O.A.No.340 of 2018 and on behalf of the Respondent No.3 in O.A.No.343 of 2018 and O.A.No.344 of 2018. Affidavits are taken on record.</p> <p>3. She further submitted that same reply is being adopted on behalf of the Respondent Nos.1 & 2 in O.A.No.343 of 2018 and O.A.No.344 of 2018.</p> <p>4. Learned Advocate for the Applicants seeks two weeks' time to file affidavit-in-rejoinder.</p> <p>5. S.O. to 20.12.2018 for filing affidavit-in-rejoinder.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</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
<p>DATE: <u>7/12/18</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Smt. K.S. Gaikwad <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Smt. K.S. Gaikwad C.O.P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>14/12/18</u></p>	<p>Date : 07.12.2018</p> <p>O.A.No.558 of 2018</p> <p>K.D. DhondgeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Today, matter was kept for informing the Tribunal about the reinstatement and posting of the Applicant in view of the decision taken by the Government to revoke the suspension.</p> <p>3. However, today again the learned P.O. for the Respondents ^{seek} one week's time to take instruction from the department. Enough time was granted and matter was adjourned for informing the decision about the reinstatement and posting.</p> <p>4. However, last chance is grated and matter is adjourned to 14.12.2018 ^{to} for communicated the decision to Tribunal about reinstatement and posting, if any. ^{of hearing}</p> <p>5. S.O. to 14.12.2018.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member (J)</p> <p>sba</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
<p>DATE : <u>7/12/18</u> CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri <u>S. S. Dere</u> Advocate for the Applicant</p> <p>Shri <u>A. J. Chougule</u> C.P.O./P.O. for the Respondents</p> <p>Adj./S.O. to <u>4/1/19</u></p>	<p>Date : 07.12.2018 O.A.No.825 of 2017 C.S. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.5. It is taken on record.</p> <p>3. Learned P.O. for the Respondents submitted that same reply is being adopted by the Respondent Nos.1 to 4 and 6.</p> <p>4. As the pleadings are completed, the matter is admitted and adjourned for final hearing.</p> <p>5. S.O. to 4.1.52019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</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
<p>DATE: <u>7/12/18</u></p> <p><u>CORAM</u> Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> Shri. <u>S.S. Dere</u> Advocate for the Applicant</p> <p>Shri. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>11/1/19</u></p>	<p>Date : 07.12.2018</p> <p>O.A.No.1037 of 2018</p> <p>P.D. PramanikApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Respondent No.4 has filed affidavit-in-reply which is at page no.194 to 199.</p> <p>3. Learned P.O. for the Respondents submitted that the same reply is being adopted by the Respondent Nos.1 to 3.</p> <p>4. As the pleadings are completed, the matter is admitted and adjourned for final hearing.</p> <p>5. S.O. to 11.1.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</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
<p>DATE : <u>7/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>P.S. Bhavake</u> Advocate for the Applicant</p> <p>Shri. Smt. <u>M. S. Suryawanshi</u> C.P.O./P.O. for the Respondents</p> <p>Adj./S.O. to <u>8/1/19</u> Short affidavit filed by P.L.O. <u>[Signature]</u></p>	<p>Date : 07.12.2018 O.A.No.982 of 2018 H.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.S. Bhavake, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Learned P.O. for the Respondents made a statement that the same reply is being adopted on behalf of the Respondent No.2.</p> <p>4. As the pleadings are completed, the matter is admitted and adjourned for final hearing.</p> <p>5. S.O. to 8.1.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1077 OF 2018

M.M. Bansode & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants.

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

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 07.12.2018.

ORDER

1. Heard Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Learned Advocates Shri S. Patil with Shri A. Pawar for the Applicants prays for leave to delete prayer 'C'. Leave as prayed is granted.
3. Issue notice before admission returnable on 02.01.2019.
4. On behalf of Respondents No.7 to 160 notices to be served through the office of Director (Training), Maharashtra Police Academy, Nashik.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicants 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. 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.

8. 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.

9. 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.

10. Heard on Interim relief.

11. Respondents 7 to 160, to be appointed furtherance to Government decision at Exhibit E, page 65, dated 05.03.2018. Respondents be informed that their appointments are made subject to outcome of present O.A..

12. It shall be open to the Government to act for curing the defect/deficiency brought to the notice of Government by applicant, through present O.A. without waiting for adjudication, by taking legal advice well in advance, and before filing of affidavit-in-reply.

13. Steno copy and Hamdast is allowed.

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

15. S.O. to ~~02.01~~2019.

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 07.12.2018

O.A.No.1074 of 2018

D.S. Beloshe

....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. In present O.A. challenge is to the transfer order dated 19.11.2018 whereby the earlier transfer order dated 11.09.2018 has been cancelled.

3. The Applicant was working as Driver in the office of Collector, Satara in Planning Department. By order dated 11.9.2018 he has been transferred to Tahsil Office, Jawali, Dist. Satara. Accordingly, the Applicant joined at Jawali as seen from his joining report dated 24.9.2018. However, thereafter suddenly by order dated 19.11.2018 Collector cancelled his transfer from Satara to Jawali on the ground that his services are required at Satara.

4. As such, it seems to be case of mid-term and mid-tenure transfer and there is no approval of higher Competent Authority as required u/s 4(4)(ii) and 4(5) of ROTA Act, 2005.

5. Learned Advocate for the Applicant submitted that he still working at Jawali and has not been relieved.

6. I am, therefore satisfied that this is fit case to grant status quo as on today.

7. At the request of the learned P.O. for the Respondents one week's time is granted for filing reply.

8. S.O. to 14.12.2018.

9. Steno copy and Hamdast is allowed.

DATE: 7/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri./Smt. M.D. Lonkar

Advocate for the Applicant

Shri./Smt. A.J. Chougule

C.P.O./P.O. for the Respondents

Adj./S.O. to 14/12/18

Sd/-

(A.P. Kurhekar)
Member (J)

O.A.801/2018

Shri K.M. Gund . . . Applicant
Vs.
The State of Mah. & ors. . . Respondents

1. Heard Mr. A.B. Desai holding for Shri N.P. Deshpande, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 11th January, 2019 in view of restoration of this application which was dismissed in default.

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 11th January, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.12.2018

DATE : 7/12/18
CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri./Smt. A. B. Desai h/A
N.P. Deshpande.
Advocate for the Applicant

Shri./Smt. : Acharya B.K.
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 11/1/19.

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

M.A.615/2018 in O.A.801/2018

Shri K.M. Gund

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

1. Heard Mr. A.B. Desai holding for Shri N.P. Deshpande, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.

2. This M.A. is made for restoration of O.A.No.801/2018 which was dismissed in default by the Office in view of non-compliance of conditional order dated 25th October, 2018.

3. However, the perusal of record reveals that Respondent No.7D had already appeared in the matter through Advocate Shri M.B. Kadam, who is present today. As such, in view of appearance and Vakalatnama on record, the matter should not have been dismissed in default on technical ground.

4. The perusal of Title Clause further reveals that the name of Respondents are not properly and prominently mentioned in the Title Clause. Hence, learned Advocate for the Applicant is directed to amend the Title Clause appropriately within one week.

5. In view of above, the O.A. is restored. M.A.No.615/2018 stands disposed of.

DATE: 7/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri. A. B. Desai hlf

N. P. Deshpande,
Advocate for the Applicant

Shri. A. B. Kololgi

C.P.O./P.O. for the Respondents

Adj.S.O. to M.A. 615/2018 as
stands disposed of.

Sd/-

(A.P. Kurhekar)

Member-J

07.12.2018

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 : 07.12.2018.

M.A.No.642 of 2018 in O.A.No.1077 of 2018

M.M. Bansode & Ors. ...Applicants.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants and Ms. S.P. Manchekar, the learned Chief 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.

DATE : 7-12-18.

CORAM :

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

APPEARANCE:

Shri/Smt. S. patil with A. pawar

Advocate for the Applicant

Shri/Smt. S. P. Manchekar

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

order passed in tribunal column
Adj. S.O. to

M.A. is allowed. *spread*

Handwritten signature and initials
S.O. Patil

Sd/-
(A.H. Joshi)
Chairman

prk

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

Tribunal's orders

Date : 07.12.2018

O.A.No.1045 of 2018

A.T. Landge

....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Issue notice before admission made returnable on 11.01.2019.

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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 11.01.2019.

Sd/-

(A.P. Kurhekar)
Member (J)

DATE : 7/12/18

CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri. ~~Landge~~ P.R. Jagdale

Advocate for the Applicant

~~Shri. Ms. S.P. Manchekar~~
C.F.O./P.O. for the Respondent/s

Adj./S.O. to 11/1/19

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 07.12.2018

O.A.No.1046 of 2018

T.R. KharatApplicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission made returnable on 11.01.2019.

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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 11.01.2019.

Sd/-
(A.P. Kurhekar)
Member (J)

sba

7/12/18

A. P. Kurhekar, Member (J)

APPEARANCE
K. P. Jagdale

Advocate for the Applicant

Smt. Ms. S. P. Manchekar
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 11/1/19

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>9/12/18</p> <p>A.P. Kurhekar, Member (J)</p> <p>OFFICE K.R. Jagdale</p> <p>for the Applicant</p> <p>Ms. S.P. Manchekar</p> <p>for the Respondent/s</p> <p>Ad/S.O. to 4/1/19</p> <p><i>[Signature]</i></p>	<p>Date : 07.12.2018</p> <p>O.A.No.1044 of 2018</p> <p>V.L. RautApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Issue notice before admission made returnable on 11.01.2019. 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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 11.01.2019. <p>Sd/-</p> <p>(A.P. Kurhekar) Member (J)</p> <p>sba</p>

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

Tribunal's orders

Date : 07.12.2018

O.A.No.1043 of 2018

A.D. KulkarniApplicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission made returnable on 11.01.2019.

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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 11.01.2019.

Sd/-

(A.P. Kurhekar)
Member (J)

gba

DATE _____

CO-SIGN

Shri. A. P. Kurhekar, Member (J)

APPEARANCE

.....

Advocate for the Applicant

.....

Advocate for the Respondents

Adv. O. to

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date : 07.12.2018.

M.A.No.642 of 2018 in O.A.No.1077 of 2018

M.M. Bansode & Ors.

...Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants and Ms. S.P. Manchekar, the learned Chief 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/-

(A.H. Joshi)

Chairman

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1077 OF 2018

M.M. Bansode & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants.

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

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 07.12.2018.

ORDER

1. Heard Shri S. Patil with Shri A. Pawar, the learned Advocates for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Learned Advocates Shri S. Patil with Shri A. Pawar for the Applicants prays for leave to delete prayer 'C'. Leave as prayed is granted.
3. Issue notice before admission returnable on 02.01.2019.
4. On behalf of Respondents No.7 to 160 notices to be served through the office of Director (Training), Maharashtra Police Academy, Nashik.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. Applicants 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. 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.

8. 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.

9. 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.

10. Heard on Interim relief.

11. Respondents 7 to 160, to be appointed furtherance to Government decision at Exhibit E, page 65, dated 05.03.2018. Respondents be informed that their appointments are made subject to outcome of present O.A..

12. It shall be open to the Government to act for curing the defect/deficiency brought to the notice of Government by applicant, through present O.A. without waiting for adjudication, by taking legal advice well in advance, and before filing of affidavit-in-reply.

13. Steno copy and Hamdast is allowed.

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

15. S.O. to ~~02.01~~2019.

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

prk

Spl. MAT-1/2 E.

**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><u>DATE:</u> 7-12-18</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant Shri/Smt. <u>Savita Suryavanshi</u> P.O. for the Respondent/s</p> <p>10-1-19 orders passed in tribunal column</p> <p style="text-align: right;"><i>Savita</i></p>	<p style="text-align: center;"><u>07.12.2018</u></p> <p style="text-align: center;"><u>C.A 37/2018 in O.A 907/2017</u></p> <p>Shri U.A Sonawale & Others ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Savita Suryavanshi, learned P.O for the Respondents.</p> <p>2. Issue show cause notice to Shri Ashish Singh, Principal Secretary, Home (Transport), Mantralaya, Mumbai, calling to show cause as to why he should not be personally saddled with cost of Rs. 20,000/- towards his failure to reply to the show cause of contempt served personally by the applicant by Speed Post, of which the envelope was delivered in Mantralaya on 17.10.2018.</p> <p>3. If no reply is filed on due date, appropriate order would be passed, apart from order that may be passed in the contempt application on its own merit.</p> <p>4. Show Cause Notice returnable on 10.1.2019.</p> <p>5. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.</p> <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p> <p style="text-align: left;">Akn</p>