

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.81 OF 2015

DISTRICT: PUNE

Shri Chandrakant Ram Kapase

.. Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri R.M. Kolge, the learned Advocate for the Applicant.

Shri N.K. Rajpurohit, the learned C.P.O. for the Respondents.

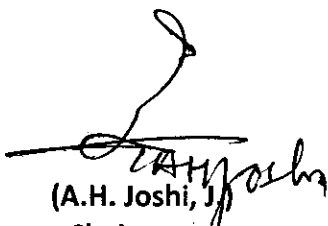
CORAM : Justice Shri A.H. Joshi, Chairman.

DATE : 10.02.2016.

ORDER

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.
2. Learned Advocate for the applicant prays for leave to rearrange and substitute the annexures. The applicant shall free to use the documents, annexures already on record and in case those are clean and legible.
3. Leave to amend and substitute as prayed and as granted be carried out within one week.
4. Heard both sides.
5. In the course of hearing, prima-facie it has transpired that :-
 - a) Enquiry officer has failed to record certain crucial points and objections raised in reply to the charge sheet.
 - b) Competent authority has failed to advert and record findings on the objections to the D.E. and fact finding done therein.

- c) In the order passed by the Appellate Authority discussion therein reveals that points raised in appeal are not dealt with and decided with a reasoned order.
- d) The Revisional authority has dismissed the revision/Review as not maintainable being oblivious to facts of the case, principles of justice and law providing for revisional powers and power of review. Prima-facie the principle of natural justice have not been observed at either levels.
6. In such view of the matter, learned C.P.O. is called to state as to whether respondents would concede to have the appeal heard again afresh by recalling appellate order.
7. Learned C.P.O. is directed to take instructions from Special IG, Kolhapur as to whether the appellate authority will recall its order dismissing the appeal and shall rehear the appeal and will decide the appeal afresh.
8. Learned P.O. has taken instruction and he wants time to take specific instructions.
9. Steno copy and Hamdast is allowed for communication.
10. Hence, S.O. to 03.03.2016.


(A.H. Joshi, J)
Chairman

**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
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10/2/16

(O.B)

Coram - Hon'ble A.H. Joshi
(Chairman)

Shri K.R. Jagdale Adv
for the Applicant
Shri K.B. Bhise P.O. for
the respondents,
heard

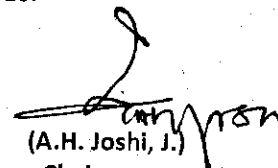
order passed in
Tribunal column
Adj to 10/3/16.

2

Date : 10.02.2016.

O.A.No.891 of 2015 (D.B.)

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Shri K.B. Bhise, learned P.O. for the respondents states that the Affidavit-in-Reply is filed and copy thereof is given to the learned Advocate for the applicant, today.
3. In view of the fact that copy is served today, learned Advocate Shri K.R. Jagdale prays for time for filing rejoinder.
4. Rejoinder can be filed only if it is imperative and not just as formality.
5. Adjourned to 10.03.2016.


(A.H. Joshi, J.)
Chairman

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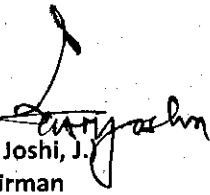
10/2/16
 Coram - Hon'ble Shri A.H. Joshi
 (Chairman)
 Shri R.M. Kolge Adv
 for the Applicant
 Smt K.S. Gaikwad P.O.
 for the Respondents.
 Heard
 order passed in
 Tribunal Column.
 S.O to 24/2/16.



Date : 10.02.2016.

C.A.No.63 of 2015 in O.A.No.511 of 2012 (D.B.)

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Smt. K.S. Gaikwad; the learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents Smt. K.S. Gaikwad states that page 24 of the paper book which was not given to the learned Advocate for the Applicant is given today.
3. Learned Advocate for the Applicants Shri R.M. Kolge prays for two weeks time for filing rejoinder.
4. Time as prayed for is granted.
5. S.O. to 24.02.2016.


 (A.H. Joshi, J.)
 Chairman

prk

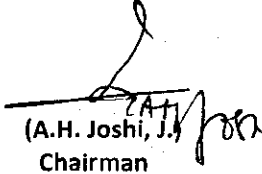
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<p><u>10/2/16</u> Coram - Hon'ble A.H. Joshi. (Chairman)</p> <p>Shri K.R. Jagdale AV for the applicant (V.P. today)</p> <p>Shri K.B. Blise P.O. for the respondents.</p> <p>Heard S.O. to 17/2/16.</p> <p>e</p>	<p>Date : 10.02.2016.</p> <p>O.A.No.113 of 2015 (D.B.)</p> <ol style="list-style-type: none">1. Learned Advocate Shri K.R. Jagdale states as follows:-<ol style="list-style-type: none">(a) He has instructions to file Vakalatnama and is filing it during the course of the day.(b) Time may be granted to file service report.2. Time as prayed for is granted.3. S.O. to 17.02.2016. <p> (A.H. Joshi, J.) Chairman</p> <p>prk</p>

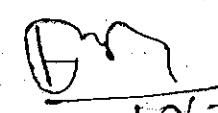
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<p>DATE: <u>10/2/16</u> <u>013</u></p> <p>CORAM: <u>R.B. Malik (MJ)</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Kumar (Member) A</p> <p>APPEARANCE:</p> <p>Shri <u>K.S. Gaikwad</u>..... Advocate for the Applicant (Og. App.)</p> <p>Shri/Smt. <u>G.A. Bandiwadkar</u>..... C.P.O./P.O. for the Respondent/s (Og. App.)</p> <p>Adj. To <u>MA is disposed of.</u> <u>skw</u></p>	<p><u>M.A.14/2016 in O.A.242/2015</u></p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri G.A. Bandiwadkar, learned Advocate for the Respondents (Ori. Applicants).</p> <p>Order below application dated 4.2.2016 in disposed of MA 14/2016 made by the original Respondents.</p> <p>Mr. Bandiwadkar, the learned Advocate does not object if the clarification sought herein is made, and therefore, it is made clear that the original Respondents are given three months time to comply with my order dated 12.1.2016 from that date. The MA is disposed of with no order as to costs.</p> <p style="text-align: right;">  <u>10/2/16</u> (R.B. Malik) Member (J) 10.02.2016 </p> <p>(skw)</p>

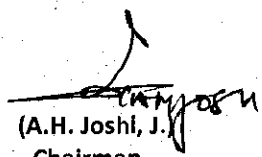
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<p>DATE: <u>10/2/16</u> <u>D/B</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Smt. : <u>B.A. Bandiwadekar</u> Advocate for the Applicant Smt/Smt. : <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>16/3/16</u> <u>S.K.</u></p>	<p>Date : 10.02.2016.</p> <p align="center">C.A.No.79 of 2015 in O.A.No.542 of 2012 (D.B.)</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents Smt. K.S. Gaikwad on instructions received from Shri D.D. Panpate, C.A.O., Deputy Director, Health Services, Thane states as follows :-</p> <p>The amount of G.I.S. which is yet to be paid to the Applicant would be paid within 30 days from today.</p> <p>3. For reporting compliance, S.O. to 16.03.2016.</p> <p align="right">  (A.H. Joshi, J.) Chairman </p> <p>prk</p>

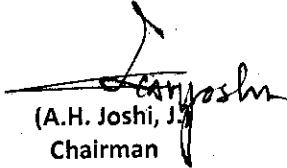
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<p>DATE: <u>10/2/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramchikumar (Member) A</p> <p>APPEARANCE: Applicant in person Advocate for the Applicant Shri/Smt. <u>K.B. Bhise</u> C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To <u>By consent adjourned</u> <u>to 25/2/16.</u></p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 10.02.2016.</p> <p>C.A.No.42 of 2015 in O.A.No.339 of 2012 (D.B.)</p> <ol style="list-style-type: none"> 1. Heard Applicant in person and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. By consent adjourned to 25.02.2016. <div style="text-align: right;">  (A.H. Joshi, J.) Chairman </div>

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OAs No.1107, 1108, 1109, 1110, 1111 and 1113/15

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2) On instructions from Shri A.R. Rane, Desk Officer, Agriculture and ADF Department, Mantralaya, the Ld. CPO states that the matter regarding reinstatement of the Applicants was placed before the Review Committee in terms of para 7(a) of the GR dated 14.10.2011. The Committee has recommended that the Applicants be reinstated in service. Ld. CPO states that the orders reinstating the Applicants are likely to be issued shortly.

3) In view of the fact that the Review Committee has recommended that the Applicants be reinstated in service, the Respondents are directed to issue orders before the next date i.e. 22.2.2016. S.O. to 22.2.2016. Hamdast.

DATE: 10/2/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

~~Hon'ble Shri R. B. MALIK (Member)~~

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

Chief Presenting Officer for the Respondents

22/2/16

Hamdast.

cc: H

[OAs 1108, 1109, 1110, 1111, 1113/15]



(sgj)

Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman
10.2.2016

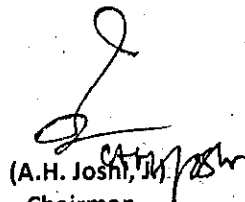
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<p><u>DATE:</u> 10/2/16</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt.: C.T. Chandratre Advocate for the Applicant Shri/Smt.: N.G. Gohad C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To..... 4/3/16 for response of the applicant and submission if any.</p> <p align="right">HE</p>	<p>Date : 10.02.2016.</p> <p align="center">O.A.No. 22 of 2016</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. Learned Advocate for the Applicant states as follows: He has tried to understand with the help of officer Smt. Varsha Deshmukh, Under Secretary, Women and Child Development Department who is present as to the manner in which the Applicant's pension has been fixed and fixation of pension and other consequential pensionary benefits as have been calculated.</p> <p>3. He would verify as to whether the Applicant is satisfied with steps taken for fixation of pay and calculation of arrears and pension done by the Respondents.</p> <p>4. S.O. to 4.03.2016 for response of the Applicant and submissions if any.</p> <p align="right">  (A.H. Joshi, J.) Chairman </p> <p>sba</p>

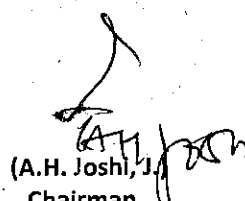
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<p>DATE: <u>10/2/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice K. B. Bhise (Member)</p> <p>APPEARANCE: For Applicant: <u>B.A. Bandiwadkar</u> For Respondent: <u>K.B. Bhise</u> C.P.O./R.O. for the Respondent/s</p> <p>Adj. To: <u>3/8/16</u></p> <p align="right"><i>BTE</i></p>	<p>Date : 10.02.2016.</p> <p align="center">O.A.No. 1000 of 2015</p> <p>1. Heard Shri B.A. Bandiwadkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents is directed to speak to S.P. (Rural), Pune as regards exact measures the S.P. would like to take apart from transfer, in view that, it is pleaded that transfer is based on the report that the integrity of Applicant is doubtful.</p> <p>3. Steno copy and Hamdast is allowed to learned P.O. for enabling C.P.O. to contact the S.P. (Rural) Pune.</p> <p>4. S.O. to 03.03.2016.</p> <p align="right">  (A.H. Joshi, J) Chairman </p> <p>sba</p>

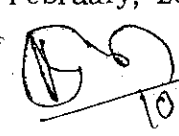
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<p>DATE: <u>10/2/16</u> <u>D/B</u></p> <p>CORAM: <u>R.B. Malik (MJ)</u> Hon'ble Justice <u>Sri A. H. Joshi (Chairman)</u> Hon'ble <u>Sri M. Pameshkumar (Member) A</u></p> <p>APPEARANCE: Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. <u>H.K. Rajpurohit</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>15/2/16</u></p> <p style="text-align: right;"><u>BTE</u></p>	<p style="text-align: center;"><u>O.A.89/2016</u></p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>Arguments for interim relief conclude. The arguments took a little longer because of the moment of the matter and no one can grudge that aspect of the matter. The order giving the temporary promotion to the Applicant dated 31.3.2015 w.e.f. 12th March, 2015 expires tomorrow i.e.11.02.2016. As of today, the Applicant holds the post which is temporary promotional post so to say. I may have to take some time to go through the record and proceeding and the case law cited at the Bar. The fact that the Applicant continues to hold the temporary promotional post is defined as status quo and this status quo is directed to be maintained till 15th February, 2016 on which day, the interim orders will be made. It is, however, made clear that incase I were to hold against the Applicant, then no further extension to the order will be given for any reason whatever. The status quo be maintained till 15th February, 2016.</p> <p style="text-align: center;">Adjourned to 15th February, 2016 for interim orders.</p> <div style="text-align: right;">  <u>10/2/16</u> (R.B. Malik) Member (J) 10.02.2016 </div> <p style="text-align: center;">(skw)</p>


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<p>DATE: <u>10/2/16</u> <u>D/B</u></p> <p>CORAM: Hon'ble Justice <u>Sri A. H. Joshi</u> (Chairman) Hon'ble <u>Sri M. Rameshkumar</u> (Member) <u>A- (J)</u></p> <p>APPEARANCE: Shri/Smt. <u>D.D. Ahire</u> Advocate for the Applicant Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O / P.O. for the Respondent/s <u>Admit.</u> Adj. To <u>Liberty to mention granted.</u></p>	<p align="center"><u>O.A.914/2015</u></p> <p>Heard Shri D.D. Ahire, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>Rejoinder taken on record. Admit. Liberty to mention granted. If the Sur-rejoinder is to be filed, it must be filed on the next date whenever it appears before the Bench and not thereafter.</p> <p align="right">  <u>10-2-16</u> (R.B. Malik) Member (J) 10.02.2016 </p> <p>(skw)</p>


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<p><u>DATE:</u> 10/2/16</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri R.B. Malik (Member) A</p> <p><u>APPEARANCE:</u> Shri G.A. Bandiwadkar</p> <p>Advocate for Respondent Shri K.B. Bhise C.P.O./P.O. for the Respondent/s</p> <p>Admit. Adj. To Liberty to mention granted</p> <p style="text-align: right;">BTK</p>	<p style="text-align: center;"><u>Q.A.764/2015</u></p> <p>Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>Rejoinder taken on record. Admit. Liberty to mention granted. If the Sur-rejoinder is to be filed, it must be filed on the next date whenever it appears before the Bench and not thereafter.</p> <div style="text-align: right;">  (R.B. Malik) 10/2/16 Member (J) 10.02.2016 </div> <p>(skw)</p>

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O.A.92/2016

Heard Shri A.A. Desai, learned Advocate for the Applicants and Shri K.B. Bhise holding for Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

Although Mr. Desai, the learned Advocate for the Applicants seeks urgent interim relief basically in terms of the order made in a group of OAs (OA 62/16 and others, dated 20.1.2016) as of today keep the issue of grant of interim relief open and reserving liberty for the Applicants to do so on the next date, I direct notice to issue to the Respondents.

Issue notice returnable on 25.02.2016.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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

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directed to file Affidavit of compliance and notice.

S.O. to 25th February, 2016. The learned P.O. do waive service. The Applicants must serve the Department.

DATE: 10/2/16 D/B

CORAM:

Hon'ble Justice Smt. A. H. Jochi (Chairman)

Hon'ble Jmt. R.B. Malik (Member) AJ

APPEARANCE:

Shri/Shri. A.A. Desai

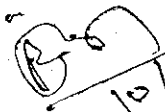
Advocate for the Applicant

Shri/Shri. A. F. Gohad

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

Adj. To. 25/2/16

HE


10/2/16
(R.B. Malik)
Member (J)
10.02.2016

(skw)

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

O.A.144/2016 & O.A.148/2016

Heard Shri A.A. Desai, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 09.03.2016.

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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 9th March, 2016. The learned C.P.O. do waive service.

DATE: 10/2/16 DLB

By R.B. Malik (M/J)

Hon'ble Justice (Chairman)

Hon'ble Justice (Member) A

APPEARANCE:

Shri A.A. Desai.....

Advocate for the Applicant

Shri N.K. Rajpurohit.....

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

Adj. To 9/3/16.....

ETE

(R.B. Malik)

Member (J)

10.02.2016

(skw)


**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>16/2/16</u> <u>DIB</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>R.B. Malik</u> (Member) <u>A-J</u> Hon'ble Shri M. Rameshkumar (Member) <u>A-J</u></p> <p>APPEARANCE: Shri/Smt. <u>G.A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>Admit</u> <u>Liberty to mention granted.</u> <u>BTE</u></p>	<p><u>O.A.908/2015</u></p> <p>Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>Rejoinder taken on record. Admit. Liberty to mention granted. If the Sur-rejoinder is to be filed, it must be filed on the next date whenever it appears before the Bench and not thereafter.</p> <p style="text-align: right;">  <u>10/2/16</u> (R.B. Malik) Member (J) 10.02.2016 </p> <p>(skw)</p>

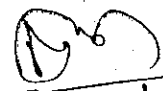
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I.N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>10/2/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>R.B. Malik</u> (Member) A]</p> <p>APPEARANCE: Shri <u>A.A. Desai</u> Advocate for the Applicant Shri <u>K.B. Bhise</u> C.I.O./P.O. for the Respondent/s</p> <p>Adj. To <u>17/2/16</u> <u>BT</u></p>	<p style="text-align: center;"><u>O.A.793/2015</u></p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>On Mr. Bhise's request adjourned for Sur-rejoinder to 17th February, 2016. Interim orders to continue till then.</p> <div style="text-align: right;">  <u>10.2.16</u> (R.B. Malik) Member (J) 10.02.2016 </div> <p>(skw)</p>

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

Tribunal's orders

O.A. No.354 of 2015

Heard Miss S.P. Manchekar, learned Advocate for the Applicant, Shri N.K. Rajpurohit, learned Chief Presenting Officer for Respondents No.1 and 2 and Shri A.V. Bandiwadekar, learned Advocate for Respondents No.3, 5, 9, 11 and 18.

2. Heard the submissions of the learned advocates and the Ld. CPO. The issue that has engaged our attention and which would have to be decided is as to whether a reference has to be made to the Hon'ble Chairman to constitute a larger bench. The details to the extent necessary will naturally be set out in the referral order if reference is made and in the order if it was decided not to do so. We enquired of the Ld. CPO as to whether the State Govt. even now would like to file affidavit in reply inter alia to assist this Tribunal in the matter of the circumstances emanating from the earlier judgment of the Division Bench of the then Hon'ble Vice-Chairman in OA No.587/2008 and then the judgment of this very bench in OA No.402/13. The Ld. CPO apparently on instructions from Shri Jayraj Sadashiv Deshmukh, Tahsildar (Revenue), Collector Office, Raigad made a statement that the affidavit filed by respondent no.2 was filed by him on being authorised to do so by respondent no.1 and that reflects the stand of the respondent no.1 State also. We make it clear however that even as this statement is recorded to proceed further for the present we have not foreclosed the option of directing affidavit to be filed by respondent no.1. With this the OA is adjourned for orders on the limited aspect to 9.3.2016.

DATE: 10/2/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

Hon'ble Shri R. B. MALIK (Member) J

APPEARANCE:

Shri/Stia: S.P. Manchekar

Advocate for the Applicant

Shri Smt. N.K. Rajpurohit

C.P.O./C.O. for the Respondents No. 1 & 2.

A.V. Bandiwadekar

for R. No. 3, 5, 9, 11 & 18.

Adj. to

S.O. to 9/2/16.

Four orders

with

R.A. 23/152

R.A. 26/15.

[Handwritten signature]

(sgl)

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(R.B. Malik) 10.2.16
Member (J)
10.2.2016

[Handwritten signature]
(Rajiv Agarwal)
Vice-Chairman
10.2.2016

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

Tribunal's orders

O.A. No.639 of 2015

Heard Shri Ganesh Bhujbal, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The Ld. PO seeks further adjournment to file affidavit in reply and she submits that the parawise reply has now been received. The order of the Tribunal rendered by one of us [Shri R.B. Malik, Member (J)] dated 20.1.2016 is clear and in fact the matter has already proceeded without affidavit in reply with ~~the~~^o little relief if one might say so and that too when the affidavit in reply was tendered today. The same is not being tendered and in the normal course that would have been the end of the matter. Here at this stage we may note that there is an error in the description of respondent no.1 which on Shri Bhujbal, Ld. Advocate's oral request is allowed to be corrected and the words "Chief Secretary, Irrigation Department" be substituted by the words "Principal Secretary, Irrigation Department" and it is because of this amendment that we have decided to allow one more chance to the respondents to file reply. Shri Bhujbal, Ld. Advocate also informs that the order of this Tribunal in the earlier OAs No.128/12 and 129/12 dated 3.12.2014 has now been implemented in the month of January, 2016. The amendment to be effected forthwith. The OA now stands adjourned for hearing and if the reply is filed the same shall be taken on record but no further date will be given for reply. S.O. to 24.2.2016.

~~DATE:~~ 10/2/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

Hon'ble Shri R. B. MALIK (Member)

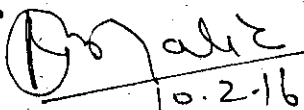
APPEARANCE:

Shri/Smt. Ganesh Bhujbal

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

P.O. for the Respondents




(R.B. Malik)

Member (J)

10.2.2016

(sgj)



(Rajiv Agarwal)

Vice-Chairman

10.2.2016

~~Adj. to~~ S.O. to 24/2/16.

