

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**ORIGINAL APPLICATION NO.942 OF 2017**

DISTRICT: PUNE

S.A. Bhorde**....Applicant.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

Shri M.B. Satarle, the learned Advocate for the Applicant.

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

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 10.10.2017

ORDER

1. Heard Shri M.B. Satarle, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 15.11.2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. 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 3 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. For the present no interim relief. However, applicant shall be restored in case if the succeeds.
9. Respondent No.2 shall file affidavit-in-reply as well keep records ready on the next date.
10. It shall be open to the Respondent No.2 to reconsider impugned transfer qua the Applicant in the background of grounds and averments contained in present O.A.. In case applicant receives favour and impugned order is withdrawn Affidavit need not be filed by the Respondent No.2.
10. Hamdast and steno copy is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.
11. S.O. to 15.11.2017.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

**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><u>DATE:</u> 10/10/17</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. V.V. Joshi Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O./P.O. for the Respondents Adj. To S.O. to 14/11/17.</p>	<p>Date : 10.10.2017.</p> <p align="center">O.A.No.799 of 2017</p> <p>P.B. JadhavApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.V. Joshi, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 14.11.2017.</p> <p align="right">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

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

Tribunal's orders
O.A. No.923 of 2017

Shri R.Z. Jople ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 15.4.2018.
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 one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within fifteen days or 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.

Sd/-

(A.H. Joshi, J.)
Chairman
10.10.2017

(sgj)

DATE: 10/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. To: 15/4/18

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

of 20

IN

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of 20

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Tribunal's orders

O.A. Nos.681 to 686, 691, 692, 694, 701 to 703 of 2017

Shri V.A. Kose & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Miss Swati Manchekar, learned Advocate
for the Applicants and Miss Savita Suryawanshi,
learned Presenting Officer for the Respondents.

2. If the State does not get proceedings stayed,
these OAs would be taken up for final disposal on
13.10.2017.

DATE: 10/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. Ms. S.P. Manchekar

Advocate for the Applicant

Shri/Smt. Ms. S.T. Suryawanshi

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

Adj. To 13/10/17

(sgj)

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

Chairman

10.10.2017

K. N. Fulzele & Co. Applicant/s

..... Applicant/s

(Advocate A. N. Naikwadi)

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

OA NO 950/17

In the midst of hearing learned
Advocate for the applicant prays
for leave to withdraw the OA
with liberty to file fresh OA for
suitable and appropriate reliefs.
Disposed with liberty.

DATE: 10/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt A. N. Naikwadi

Advocate for the Applicant

Shri/Smt K. B. Bhise

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

Adj. To OA is disposed with

liberty.



Sd/-

A. H. Joshi

10/10/2017

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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of 20

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<p>DATE: <u>10/10/17</u></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 <u>K.R. Jagdale</u> Advocate for the Applicant Shri <u>K.B. Bhise</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To. <u>12/10/17</u></p>	<p align="center"><u>10.10.2017</u></p> <p align="center"><u>C.A 49/2017 in O.A No 1138/2010</u></p> <p>Shri V.M Nawale ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that applicant is present and he has tendered a purshis signed by the applicant stating that applicant does not wish to pursue present contempt case. Purshis is taken on record.</p> <p>3. It has to be observed that, contempt is always a matter between the court and the contemnor.</p> <p>4. Therefore, applicant is relieved from pursuing the contempt case.</p> <p>5. In the background that show cause notice against cognizance is already issued, the notice would be heard and decided on due date.</p> <p>6. S.O to 12.10.2017.</p> <p align="right">Sd/- (A.H Joshi, J.) Chairman</p> <p align="center">Akn</p>

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Original Application No. of 20

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<p>DATE: <u>10/10/17</u></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. I. Pathan</u> Advocate for the Applicant Shri/Smt. <u>K. B. Bhise</u> C.P.O / P.O. for the Respondent/s</p> <p><u>Adj. To: S.O. to 20/12/17</u></p>	<p><u>C.A.No. 142/2017 in O.A.No.27/2003</u></p> <p>Smt. U.P. Paradkar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Mr. M.I. Pathan, the learned Advocate for the Applicant and Mr. K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that the W.P. filed by the State is expected to come up for hearing on 29.11.2017.</p> <p>3. Hence, S.O. to 20th December, 2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 10.10.2017</p> <p>prk</p>


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Original Application No. _____ of 20 _____

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<p><u>DATE:</u> 10/10/2017</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>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt.: <u>N.K. Rajpurohit</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>Removed from board.</u></p> <p><u>Applicant shall approach Registry and secure notice, serve it and file service report.</u></p> <p align="right"><u>RE</u></p>	<p align="center"><u>10.10.2017</u></p> <p align="center"><u>O.A No 822/2017</u></p> <p>Shri Miind S. Kulthe ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri N.K Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>2. Removed from board.</p> <p>3. Applicant shall approach Registry and secure notice, serve it and file service report.</p> <p align="right">  Sd/- (A.H Joshi (J.) Chairman </p> <p align="center">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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<p>DATE: <u>10/10/17</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>V.K. Bodhare</u> Advocate for the Applicant Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p><u>O.A. is dismissed.</u> Adj. To. _____</p>	<p>Date : 10.10.2017.</p> <p align="center">O.A.No.845 of 2017</p> <p>P.P. GaikwadApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.K. Bodhare, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Applicant has failed to show any rule by which it was mandatory for the competent authority to specifically call upon the Government servant who has been promoted to exercise option.</p> <p>3. Therefore, Applicant cannot blame the competent authority for applicant's failure to exercise option.</p> <p>4. Hence, O.A. has not merit and is dismissed.</p> <p align="right">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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<p>DATE: <u>10/10/17</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>V.K. Bodhare</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>M.A. is allowed.</u></p> <p>Shri/Smt. _____ Advocate for the Applicant Shri/Smt. _____ APPEARANCE: Hon'ble Shri M. Rameshkumar (Member) A Hon'ble Justice Shri A. H. Joshi (Chairman) CORAM: DATE: _____</p>	<p>Date : 10.10.2017.</p> <p>M.A.No.391 of 2017 in O.A.No.845 of 2017</p> <p>P.P. GaikwadApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.K. Bodhare, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Delay caused in filing of O.A. is condoned, by accepting the ground that the Applicant was pursuing the cause.</p> <p>3. M.A. is allowed.</p> <p>prk</p> <p style="text-align: right;">Sd/- (A.H. Joshi J.) Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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<p><u>DATE:</u> <u>10/10/17</u></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>G. Sadavarte</u> Advocate for the Applicant Shri/Smt. <u>K. S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p><u>Adj. To:</u> <u>S.O. to 10/11/17.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>10.10.2017</u></p> <p align="center"><u>O.A No 1192/2016</u></p> <p>Shri K.D Binner & ors ... Applicants Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri G. Sadavarte, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Presenting Officer states that due to misunderstanding, a short affidavit is prepared.</p> <p>3. Learned P.O prays for further time to file detailed affidavit answering the Original Application.</p> <p>4. In view of prayer of learned P.O, S.O to 10.11.2017.</p> <p align="right">Sd/- (A.H Joshi, J.) Chairman</p> <p align="center">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE: <u>10/10/17</u></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>S.D.B. Khaire</u> Advocate for the Applicant Shri/Smt. <u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>S.O. to 31/10/17</u></p>	<p>Date : 10.10.2017.</p> <p align="center">O.A.No.860 of 2017</p> <p>S.S. BhosaleApplicant.</p> <p>Versus</p> <p>The Controller of Rationing and Director of Civil Supplies & 2 Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents prays for two week's time for filing reply.</p> <p>3. Time is granted as a last chance.</p> <p>4. S.O. to 31.10.2017.</p> <p align="right">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Tribunal's orders

O.A.No.887/2017

Mr. R.D. Gaikwad ... Applicant

Vs.

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

1. Heard Mr. A.V. ^{Bandiwadker} Gaikwad, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Learned P.O. has tendered Affidavit of the Commissioner of State Excise and order of revocation of order of removal.

3. The stance now taken appears to be wise. It serves the purpose of O.A. Hence, O.A. is disposed as its purpose is accomplished.

4. It shall suffice to observe that the order, if any, shall be passed by the Respondents upon due observance of Rules as would be needed in accordance to extant Rules.

DATE: 10/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : A.V. Bandiwadker

Advocate for the Applicant

Shri/Smt. : S. Suryawanshi

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

Adj. To: Hence O.A. is disposed.

Yg

Sd/-

(A.H. Joshi, J)

Chairman

10.10.2017

prk

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

MA 365/17 In O A 335/15

Returnable date is
enlarged to 7/12/2017.

Sd/-
(Signature)
10/10/2017

Later on learned Adv for
applicant states that
he does not press this MA.

Hence MA is disposed

Sd/-
(Signature)
10/10/2017

DATE: 10/10/17

CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. K. ... (Member) A

APPEARANCE:
Shri/Sec. *B. Bendicwadeker*

Advocate for the Applicant
Shri/Smt. *Ms. S. S. ...*

C.P.O./T.O. for the Respondent's
M.A. is disposed.
(Signature)


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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