6.CP> 4/2360(B) (59,000 - 2-2015)

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

 $\mathbf{I}\cdot\mathbf{N}$ 

Original Application No.

of 20

Office Notes, Office Memorands of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders
	Date: 10.10.2018
	O. A. No.613 of 2018
	A.V. MahajanApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
ATE <u>10/10/18</u> AM Sie Shri P.N. DIXIT (Member) A Searsint: R. M. Kolge Americate for the Applicent Statisme: S:D: Dole Memory Sie S.O. to 31/10/18	<ol> <li>Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Shri S. D. Dole, the learned Presenting Officer for the Respondents.</li> <li>Learned P.O. has filed reply on behalf of Respondent No.2. He states that reply on behalf of Respondent No.1 is not required.</li> <li>Learned Advocate for the Applicant seeks two weeks time to seek instructions from his client regarding clarification on the issue of equivalent post.</li> <li>S.O. to 31.10.2018.</li> </ol>

### M.A./R.A./O.A. No.

of 20

IN

Original Application No. of 20

Office Notes, Office Memorands of Coram, Appenrance, Tribunal's orders or directions and Registrar's orders	'frihunal's orders	
	Date : 10.10.2018	
	O. A. No.773 of 2018	
	J. A. SurtiApplicant	
	Versus	
	The State of Maharashtra & OrsRespondents.	
DATE <u>10/10/18</u> <u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A <u>APPEARANCE</u> : <u>ShrijSmt B:A</u> <u>Rochdicusadakon</u> Advocate for the App <del>iloe</del> nt	<ol> <li>Heard Shri B. A. Bandiwadekar, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.</li> <li>Learned C. P. O. for the Respondents seeks four weeks time to file Affidavit-in-Reply.</li> <li>S.O. to 26.11.2018.</li> </ol>	
Statismt Ills: S. P. Menchekon C.P. 20 Tor the Respondent/s Adj./S.O. to 26/11/18	Sd/- (P.N. DIXIT) MEMBER (A)	

### ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. Nu.

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders
	Date : 10.10.2018
	O. A. No.790 of 2018 V. R. ThokApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri B. A. Bandiwadekar, the learned
DATE IDIOIS	Advocate for the Applicant and Smt. Kranti Galkwad,
CORAM	the learned Presenting Officer for the Respondents.
ton'ble Shri P.N. DIXIT (Member) A	2. Learned P.O. seeks time to file reply.
PPEARANCE:	
mismi BABCadecode	3. Learned Advocate for the Applicant mentions
dvocate for the Applicant	that O. A. No.482/2018 having similar issue is kept for
mit K.S. Gaekenad	hearing on 15.10.2018. He, therefore, requests that
F.C.P.D. for the Raspondentis	this O.A. may also be tagged together.
1.5.0 to 15 10/18	
(a)co	4. S.O. to 15.10.2018
77	
	Sd/-
	(P.N.(DIXIT) MEMBER (A)

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

of 20

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Original Application No.

of 20

Office Notes; Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 10.10.2018 O. A. No.772 of 2018	
•	T. J. PadviApplicant	
	Versus The State of Maharashtra & OrsRespondents.	
	1. Heard Shri B. A. Bandiwadekar, the learned	
DATE 10/10/18	Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the	
DATE <u>10(0)(8</u> <u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A	the learned Chief Presenting Officer for the Respondents.	
	2. Learned C. P. O. for the Respondents seeks four	
APPEARANCE: shrusmt - B.A. B.e. nolkusorbika	weeks time to file Affidavit-in-Reply.	
Advocate for the App <del>ticant</del>	3. S.O. to 26.11.2018.	
Shrizent Mrs. S. P. Manchakon		
C.P.O/P.O. for the Respondent/s	Sd/-	
Adj./S.O. to 26/11/18	(P.Ň. DIXIT) MEMBER (A)	
	VSM	

### ISPE MATINE IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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of 20

IN

Original Application No. of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders	<del>.</del>
	Date : 10.10.2018	
	O. A. No. 782 o	·
		1 2018
	P. K. Sawant	Applicant
	Versus	
	The State of Maharashtra & Ors	Respondents.
DATE <u>10/10/18</u> <u>CORAM</u> Hon'ble Shri P.N. DIXIT (Momber) A <u>APPEARANCE:</u> ShrivEmt B.A. Bread (used blog)	<ol> <li>Heard Shri B. A. Bandiv Advocate for the Applicant and the learned Chief Presentin Respondents.</li> <li>Learned C.P.O. for the Reweeks time to file reply.</li> <li>S.O. to 02.11.2018.</li> </ol>	Ms S. P. Manchekar, g Officer for the
Advocate for the App <del>licant</del>	Sd/-	
shrivent Ms. S. P. Mencheker	(P.N. <sup>I</sup> DIXIT)	
C.P.O/P.O. for the Respondent/s	MEMBER (A)	
Adj./S.O. to	VSM	

#### (Spl. MAT-9-2 E) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'fribunal's orders	
	*	
	Date : 10.10.2018	
	O. A. No. 710 of 2018	
	P.B. WaghmareApplicant	
. <b>.</b>	Versus	
DATE 10/10/18	The State of Maharashtra & OrsRespondents.	
CORAM Hon'ble Shri P.N. DIXIT (Member) A	1. Heard Shri K. R. Jagdale, the learned Advocate	
	for the Applicant and Smt. Kranti Gaikwad, the learned	
APPEARANCE: Shrilemt K. R. Jagdole	Presenting Officer for the Respondents.	
Advocate for the Apprecent	2. Learned P.O. for the Respondents seeks time to	
ent. K.S. G-aikewood	file Affidavit-in-Reply.	
port. 16.5. Gaikewood por for the pespondents.	3. S.O. to 20.11.2018.	
5.0. to 20/11/18.		
All ag	Sd/-	
	(P.N. <sup>1</sup> DIXIT)	
	MEMBER (A)	
	VSM	
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M.A./R.A./C.A. No.

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 10.10.2018	
	O. A. No.731 of 2018	
	K. S. AwareApplicant	
	Versus	
	The State of Maharashtra & OrsRespondents.	
	1. Heard Ms Anupama Kumari holding for Shri D.	
DATE 10/10/18	B. Khaire, the learned Advocate for the Applicant and	
CORAM	Shri S. D. Dole, the learned Presenting Officer for the	
Hon'ble Shri P.N. DIXIT (Member) A	Respondents.	
APPEARANCE;	2. Learned P.O. for the Respondents seeks four	
http://www.line.line.line.line	weeks time to file Affidavit-in-Reply.	
Advocate for the Applicant		
Shritsmt S. D. Dole C.P.O/P.O. for the Respondent/s	3. S.O. to 26.11.2018.	
Adj./S.O. to	Sd/-	
De rast	(P.N. DIXIT)	
~ <del>/</del>	MEMBER (A)	
	VSM	

### ISPL MATING E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./O.A. No.

of 20

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Original Application No.

of 20

# FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribanal's orders or directions and Registrar's orders	'Tribunal's orders	
	Date : 10.10.2018	
	O. A. No. 709 of 2018	
	V. V. GhanwatApplicant	
DATE 10/10/18	Versus	
CORAM Hon'ble Shri P.N. DIXIT (Member) A	The State of Maharashtra & OrsRespondents.	
	1. Heard Shri K. R. Jagdale, the learned Advocate	
APPEARANCE:	for the Applicant and Smt. Kranti Gaikwad, the learned	
Shrifsont IX. P. Jagolole	Presenting Officer for the Respondents.	
Advocate for the Applicant	resenting officer for the Respondents.	
Shritsmi K.S. G-ceikevad	2. Learned P.O. for the Respondents seeks time to	
C.P.O.P.O. for the Respondent/s	file Affidavit-in-Reply.	
Ad1 to 20/11/18.		
	3. S.O. to 20.11.2018.	
(10)/10)		
-7	Sd/-	
	(P.N. DIXIT)	
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M.A./R.A./C.A. No.

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 10.10.2018 O. A. No. 376 of 2018
	P. K. Supekar & OrsApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
DATE 10/10/18	1. Heard Shri B. A. Bandiwadekar, the learned Advocate for the Applicants and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.
Hon'ble Shri P.N. DIXIT (Member) A	2. Learned C.P.O. for the Respondents files reply on behalf of Respondent Nos.1, 2 & 3.
Advocate for the Applicant	3. Learned Advocate for the Applicant is at liberty to file rejoinder, if any.
Station No. S.P. Monchettor C.P.D. Tor the Respondent/s 1,29 Repu fieled 69 R. 10.13	4. Matter is admitted and kept for final hearing in due course.
admitted and kept for final hearing in	Sd/-
the course final	MEMBER (A)
	VSM

#### **ORIGINAL APPLICATION NO.879 OF 2018**

Shri T.R. Apte & Ors.

....

)...Applicants

Versus

The State of Mah. & Ors.

)....Respondents

Mr. A.V. Bandiwadekar, Advocate for Applicants. Mrs. K.S. Gaikwad, Presenting Officer for Respondents.

CORAM : SHRI B.P. PATIL, MEMBER-J

DATE : 10.10.2018

#### ORDER

1. The Applicants are challenging the impugned order dated 17.09.2018 by which their services have been terminated with immediate effect.

3. It is the contention of the Applicants that they were appointed as Peons in the year 2014 after conducting due process of recruitment. It is their contention that they are working since 4 years. It is their contention that the Respondents have issued impugned order dated 17.09.2018 and terminated their services with immediate effect without issuing any notice to them and without making any enquiry, and therefore, the impugned order is illegal.

4. Learned Advocate for the Applicants has submitted that the Applicants are in service since 4 years. Their appointments have been made after following the due procedure of recruitment. He has submitted that as the Applicants are in service since 4 years, their services are deemed to be made permanent, and therefore, the impugned order passed without issuing notice to them and without giving an opportunity of hearing to them, is illegal.



5. Learned Advocate for the Applicants has further submitted that this Tribunal as well as Hon'ble High Court and Hon'ble Apex Court has held in various decisions that, the services of the employee cannot be terminated without giving an opportunity of hearing to the concerned party. But the said principle has not followed by the Respondents while issuing impugned order. Therefore, the impugned order is illegal.

6. Learned Advocate for the Applicants has submitted that even though the Applicants' services have been terminated on 17.09.2018, the same can be restored by way of mandatory order. He has submitted that this Tribunal has passed mandatory orders directing the Respondents to restore the position as on the date of impugned order in its various decisions. He has relied on various orders passed by this Tribunal in which mandatory orders had been issued in favour of the Applicants in those cases.

7. Learned Advocate for the Applicants has further submitted that, in view of provisions of Section 24 of Administrative Tribunals Act, this Tribunal is empowered to pass interim orders, and therefore, in this case also he prayed to issue the interim relief as claimed by the Applicants and to direct the Respondents to reinstate the Applicants, as the termination order is bad in law.

8. Learned P.O. has submitted that the Applicants were appointed in the year 2014 purely on temporary basis and they were not made permanent. She has submitted that, in their appointment order, there is a condition that their appointment is temporary and their services can be terminated at any time without notice. She has submitted that, in the recruitment process, there were irregularities and illegalities, and therefore, the concerned Office made enquiry and found substance in the complaints, and therefore, the services of the Applicants have been terminated.

9. Learned P.O. has further submitted that, since the Applicants are appointed on temporary basis, there is no need to issue notice to them before terminating their services. She has submitted that the impugned order was issued on 17.09.2018 and on the very day, it was served on the Applicants. The services of the Applicants had already



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been terminated, and therefore, no question of granting interim relief as prayed by the Applicants arises.

10. Learned P.O. has submitted that the decisions cited by the learned Advocate for the Applicants are not applicable in this case. She has submitted that if there is any illegality in the termination order, then it will be decided at the time of final hearing. She has further submitted that granting of interim relief at this stage amounts granting of main relief. Therefore, she prayed to reject the interim relief.

11. On perusal of the record, it reveals that the Applicants were appointed as Peon w.e.f. December, 2014. The appointment orders of the Applicants state that their appointment are on temporary basis and their services will be terminated without any intlmation. The Applicants continued in the service since then. As per the submission of the learned P.O, the enquiry was made regarding the irregularity in the recruitment process. Thereafter, the services of the Applicants have been terminated with effect from 17.09.2018. During the enquiry, it was found that there were irregularities in the recruitment process of the Applicants. Therefore, the Respondents decided to terminate the services of the Applicants. The Respondents, therefore, terminated the services of the Applicants in the recruitment process of the Applicants. The Respondents, therefore, terminated the services of the Applicants. In these circumstances, in my view, there is no just ground to grant interim relief as prayed for.

12. On perusal of the decisions cited by the learned Advocate for the Applicants, it reveals that those matter have been decided on merit, therefore, the ratio laid down therein cannot be considered at this juncture while deciding the application for interim relief. The same will be considered at the time of deciding the matter finally on merit.

13. In view of the above said discussion, in my view, The Applicant has not made out a prima-facie case to grant of interim relief as prayed for. It is not a fit case to grant interim relief. Therefore, the same is rejected.

14. Issue notice to the Respondents made returnable on 31<sup>st</sup> October, 2018.

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

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16. 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.

17. 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.

18. 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.

19. 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.

20. S.O. to 31<sup>st</sup> October, 2018.

Sd/-(B.P. Patil) Member-J 10.10.2018

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#### G.C.P. J 2260(B) (50,000 - 2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL (Spl. MAT-F-2 E. MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's ordors or directions and Rogistrar's orders	Tribunal's orders <u>O.A.401/2018</u>	
	Mr. R.L. Boga Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri A.V. Advocate for the Applicant learned Presenting Officer fi	Bandiwadekar, learned and Ms. S.T. Suryawanshi, or the Respondents.
	2. The learned P.O. behalf of Respondents 1 to record.	files Affidavit-in-reply on 3. The same is taken on
	3. S.O. to 31 <sup>st</sup> October,	2018.
DATE: 10/10/2018 CORAM Shri, B. P. B. Honibie Shri, B. P. B. Honibie Honibie A. V. Bandiwaduker A. V. Bandiwaduker	(skw)	Sd/- (B.P. Patil) Member-J 10.10.2018
Star S. T. SUYAWanshi C. M. N. C. In Maspondent/s Adj./S.O. to <u>31/10/2018</u>		
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### (Spl. MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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# FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's erders or directions and Registrar's orders	Tribunal's orders		
	<u>O.A.203/2018</u>		
	Mr. S.K. Devk Vs. The State of M		Applicant Respondents
	Advocate for learned Pres	Shri B.A. Bandiv the Applicant and N enting Officer for F ondent Nos.1 and 2.	Ars. K.S. Gaikwad.
	2. The learned Advocate for the Applicant files Rejoinder. The same is taken on record.		
	3. The O./ on 20 <sup>th</sup> Novem	A. is admitted and ker ber, 2018.	ot for final hearing
DATE : 10/10/2018		- {	Sd/-
CC: Shri B. P. P. Li (M)) Hon the content H. Joshi (Chairman)	(skw)	Men	. Patil) nber-J 0.2018
AB-A-Bandiwedder	( <b>3</b> K <b>W</b> )		
Shriften KS. Gajkwed CPC/RO. for the appondentis No. 3. Mone for the R. No. 1 dz. Adj./S.O. to Admit. S-d. to 20/11/2-018.	• .		
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G.C.P. (-J. 2260(B) (59,000 - - - - - 2-2615)

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.414/2018</u>	
	Dr. P.M. Rathi Vs.	Applicant
	The State of Mah. & ors Responden1.Heard Shri A.B. Mahajan, learned Advocfor the Applicant and Shri S.D. Dole, learnPresenting Officer for the Respondents.2.Since the pleadings are complete, the O.Aadmitted and kept for final hearing on 4 <sup>th</sup> Decemb	
	2018. 3. S.O. to 4 <sup>th</sup> December, 2	018. Sd/-
DATE: 10/10/2018 CORAM: Shri, B.P. Patil (ml) Hon'ble Justice Shri A. H. Joshi (Chairman) APPEARANOS Shis A.B. Mahajan	(skw)	(B.P. Patil) Member-J 10.10.2018
Shills A-O-Manayan Ad an Broot Shills S-D. Dole C-C-D. for de de de sub-portes		
Adjustin 4/12/2018: 12/17 07. Le		

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

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunai's orders or directions and Registrar's orders	'Tribunal's orders	
	<u>O.A.490/2018</u>	
	Mr. P.K. Shelar Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.	
	2. The learned P.O. has produced a copy of order dated 31.08.2018 by which the grievance of the Applicant has been resolved and his pay has been refixed. The same is taken on record.	
	3. The learned Advocate for the Applicant seeks time to take instruction from the Applicant.	
DATE: <u>Lo[10]2018</u> CORAM: Shr; B.P. Pati) (m]]	4. At his request, S.O. to 25 <sup>th</sup> October, 2018.	
Honible Rotter ShirA: H. Joshf (Cflairmán)*	Sd/-	
A.V. Bandiuladetter	(B.P. Patil) Member-J 10.10.2018	
Shallons	(skw)	
Adj./S.O. to 2-9/10/2018.		
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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders	
	<u>O.A.608/2018</u>	
	Mr. K.E. Pawar Applicant Vs. The State of Mah. & ors Respondents	
	<ol> <li>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.</li> </ol>	
	2. The learned P.O. has produced a copy of the order dated 3 <sup>rd</sup> October, 2018 by which the Applicant has been transferred from Baramati, Pune to Nevasa, Ahmednagar. The same is taken on record.	
DATE: 10/10/2018 COPAM: Shri B-P. Patil (MU) Hon ble Jestice Shri A. H. Joshi (Chairman) MU)	3. The learned Advocate for the Applicant has submitted that the Respondents had not considered the request of the Applicant in view of the representation dated 20 <sup>th</sup> February, 2018.	
AF A.V. Bandiwaderer Adv	4. Since the pleadings are complete, the O.A. is admitted and kept for final hearing on 23 <sup>rd</sup> October, 2018.	
Shri/Smt S. T. SUMAWANShi C.P.C.R.O. for the Respondent/s	Sd/-	
Adj./S.O. to 23/10/2018.	(B.P. Pa <del>til)</del> Member-J 10.10.2018	

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

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.758/2018</u>	
	Mr. V.M. Bhagat & Ors Applicants Vs.	
	The 5tate of Mah. & ors Respondents	
	<ol> <li>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.</li> </ol>	
	2. The learned P.O. files reply on behalf of Respondent No.3. The same is taken on record.	
	3. The learned P.O. further submits that the reply of Respondents 1 and 2 is not necessary.	
	4. S.O. to 25 <sup>th</sup> October, 2018.	
DATE: 10/10/2018	Sd/-	
CUF Shri B.P.P. ELil (MJ)	(B.P. Patil)	
M.D. Louker	Member-J 10.10.2018	
All and the All and		
Sherrie A.B. Kelolgi C.R.C.R.C. for the Respondent/s		
Adj. 15.0. 10 2-5/10/2018.		
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### (C.P.) J 2200(B) (50:000 - 2-2045)

#### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL (Spl. MAT-F-2 E. MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's	; orders
	<u>O.A.843/2017</u>		.843/2017
	Mr.	A.R. Ambekar Vs.	Applicant
	The	State of Mah. & ors.	Respondents
	, 1. Advo lear	Heard Shri B.A ocate for the Applica ned Presenting Officer	int and Shri A L Chougulo
	anu	/ has been filed on t	states that the Affidavit-in- behalf of Respondent No.1 e on the other side during
DATE: 10/10/2018 CORAM: Shirial H. Besti (Provincent) Hon'ble Justice Stinial H. Besti (Provincent)	3. there 5.	The learned P.O. H is no need to file the	has further submitted that reply of Respondents 2 to
	4.	S.O. to 31 <sup>st</sup> October,	2018.
APPEARANCE: Style B.A. Bandiwleddwer			Sd/-
Adds in the Applicant			(B.P. Patil)
Shript A.J. Changele C.P.C. 7.0. for the Respondent/s Adj./S.O. to <u>31/10/2018</u> .	(skw)		Member-J 10.10.2018
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G.C.P. (J. 22004) (50,000 (2.2015))

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### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

of 20

Office Notes: Office Memeranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.202/2018</u>	
	Mr. S.R. Suryawanshi Applicant Vs.	
	The State of Mah. & ors	
	1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.	
	<ol> <li>It is seen that no notices were issued to the Respondents.</li> </ol>	
	3. The matter is kept for hearing on the point of maintainability as well as on the point of limitation.	
DATE: 10/10/2018 CORAMA: Shri B. P. Patil (N/2) Hon ble Juance Shri A. H. Joshi (Chairman)	4. At the request of learned Advocate for the Applicant, S.O. to 24 <sup>th</sup> October, 2018.	
APPRADABLER String M. D. Lanker	Sd/- ,	
Ada (1) a strong Bring Shuttont (1) B Valala CROMO for the Respondent/s	(B.P. Pa <del>til)</del> Member-J 10.10.2018	
Adj./S.O. to 24/10/2018.		
5. Le		

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

Tribunal's orders
Date : 10.10.2018

#### O.A.No.875 of 2018

M.B. Sonawane

....Applicant

Versus

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

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

2. Issue notice made returnable on 22.10.2018.

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 Original Application. 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. Respondents are directed to file detailed reply on 22.10.2018.

Point of interim relief is kept open.

10. S.O. to 22.10.2018.

Sd/-

(B.P. Patil) Member (J)

DATE: 10/10/2018 CORAM: Shri B. P. Patil SM/2

APPAN A.V. Bandiwaderar

CARA for the Reportents

Adj. 15.0. to J. 9542 naile made returnable on 22/10/2018.

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C.C.P. (J. 2260(1)) (59,000 (-2.2015)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL (Spl. MAT-F-2 E. MUMBAI

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

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# FARAD CONTINUATION SHEET NO.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrur's orders	Tribunal's orders	
	<u>0.A.8</u>	389/2018
	Dr. A.W. Vaidya Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri M.D. Lo the Applicant and Mrs Presenting Officer for the Re	nkar, learned Advocate for A.B. Koloigi, learned espondents.
	2. At the request of Applicant, the matter is ac - will satisfy the Tribunal on the of the O.A. as well as on the	learned Advocate for the ljourned. The Applicant hos h he point of maintainability point of limitation.
	3. S.O. 24 <sup>th</sup> October, 203	18.
DATE: 10/10/2018		Sd/-
Hon ble Justice Shirl A. H. Joshi Chairman)		(B.P. Patil)
APPEndine: M.D.Loukar	(skw)	Member-J 10.10.201 <b>8</b>
Active Street		
Shri/Soit A B Kalalaj		
Adj. 15.0. to 24/10/2018.		
BE		

C(CP) J 2260(B) (50,000 - 2 (2015)

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memorande of Corem, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.330/2018</u>	
	Ms. V.H. Kakde Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri B.A. Advocate for the Applicant learned Presenting Officer	t and Ms. S.T. Survawanshi
· · · · · · · · · · · · · · · · · · ·	2. The learned P.O. Respondents is going to f with the cost of Rs.1000/- day and will serve the copy side.	has submitted that the file Affidavit-in-reply along during the course of the of the same on the other
DATE : 10/10/2018	3. S.O. to 31 <sup>st</sup> October,	2018.
CORAM : ghri B. P. Patil (ml)		Sd/- (B.P. Patil)
- B.A. Bandinkdekar	(skw)	Member-J 10.10.2018
And the second second		
C. Prive D. In the Respondent's		
ACT SOLD 31/10/2018.		
As per order At 10/10/2018 a sum of 25. 1000/- is deposited towards	:	
est in the office of this Tribunal re Receipt Ho. 9194095, H. 10/10/18.		
BE	•	. <b>,</b>
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# FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's or	ders
	<u>O.A.786/2018</u>	
	Mr. D.R. Jadhav Vs. The State of Mah. & ors.	Applicant
	2. Learned Advocate produced the copy of the or which the charge of the pos Hiwale, Taluka Malvan has Medical Officer. The same is	t of Medical Officer, PHC been kept with another
DATE: 10/10/2013 CORAM: Shri B.P. Patil (M1) Hon'ble Justice Shri A. H. Joshi (Chairman)	submitted that, since the a post of Medical Officer, PHC another Medical Officer,	Hiwale has been given to the grievance of the
APPEr de la setter Shri/Same DV. Suter Advocate for the constant	Applicant has been redresse not want to proceed with th prayed to disposed of the O./	e O.A. and therefore, he
Shri/Smt.: A.B. ¥olol 9j C.P.O/RO. for the Respondent/s	4. Learned P.O. also pray	ys to disposed of the O.A.
Adj. 15.0. to 0. A. is disposed of.	<ol> <li>Since the grievance o redressed in view of the o nothing remains in the O disposed of accordingly with</li> </ol>	A. Hence, the O.A. is
W.C.		Sd/-
		(B.P. P <u>atil)</u> Member-J 10.10.2018

(skw)

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

Tribunal's orders

#### <u>O.A.895/2018</u>

Dr. R.D. Mali Vs.

... Applicant

The State of Mah. & ors.

... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has filed the O.A. and prayed to direct the Respondents to modify the impugned order dated 31.05.2018 by which he has been transferred at Chandgad, District Kolhapur. It is his contention that while making his transfer, the Respondents have not followed the guidelines of G.R. dated 09.04.2018. It is the contention of the Applicant that he has filed O.A.548/2018 before this Tribunal challenging the impugned order dated 31.05.2018 but the O.A. came to be disposed of on 25.07.2018 with a direction to the Respondents to take suitable decision on his representation.

3. It is the contention of the Applicant that in spite of directions given by this this Tribunal, the Respondents have not taken any decision and the Respondents relieved him from the present post on 1<sup>st</sup> October, 2010, and therefore, he is before this Tribunal.

4. From the perusal of the record, it reveals that already the Respondents have challenged the impugned order dated 31.05.2018 by filing O.A.No.548/2018 in this Tribunal. That O.A. has been disposed of on 25.07.2018 with a direction to the Respondents to take suitable decision regarding the request made by the Applicant. The liberty was given to the Applicant to approach this Tribunal in case any adverse decision is taken by the Respondents. The representation of the Applicant dated 5<sup>th</sup> May, 2018 is still pending with the Respondents and no decision is taken on it. Applicant is not aggrieved by any order. Therefore, the present O.A. is not maintainable in view of Section 19 of the Administrative Tribunals Act.

5. Hence O.A. is rejected.

(skw)

Sd/-(B.P. Patil) Member-J 10.10.2018

DATE: 10/10/2018 CORAM: Shor B. P. EKMD Hon'ble Justice Shri A. H. Josh (Chairman)

APPEARANCE: shrison K.R. Jagdel

Advecate for the Applicant

Shri/Smt A.J. 4 C.P.O/P.O. for the Respondent/s

Adi, s. o. Hence, U. A. is Vejected.

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#### ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions und Registrar's orders	'Fribunal's orders
	Date : 10.10.2018.
	O.A.No.911 of 2015
	H.M. Chikhale & OrsApplicants Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri K.R. Jagdale, the learned Advocate for th Applicants and Shri A.J. Chougule, the learned Presentin Officer for the Respondents.
	2. This matter pertains to revision of pay scale.
DATE: 10/10/2018 CORAM: 9/10/0. f. f. titi (10) Hon'ble Justice Shri A. H. Joshi (Chairman)	<ol> <li>The subject matter of revision of pay scale is assigned to Division Bench. Hence, it is just proper to place the matter before the Division Bench.</li> <li>Registrar to take appropriate steps.</li> </ol>
	Registral to take appropriate steps.
K.R. Jagdale	Sd/-
A in the for the floor the	(B.P. Patil) Member (J) sba
Partaing to revision of Partaing to revision of Part Scyle. Registrar to take	
Registrar to take ppropriate steps.	
1. YÉ	

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

Tribunol's orders

#### O.A.896/2018

Mr. B.T. Lahupanchang ... Applicant Vs.

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

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 20.11.2018.

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 20<sup>th</sup> November, 2018.

(skw)

Sd/-

(B.P.-<del>Pa</del>til) Member-J 10.10.2018

DATE: 10/10/2018 <u>Clifford</u> Strip B.P. Patil (Mb) Hon ble Ju<del>ctice Shrip A.H. Joshi (Chairman)</del> <u>APPEAPANCE:</u> Show M.D. Low Ker

Advoct the Applicant

Shri/Smt. A.B. Kolul C.P.O/P.O. for the Respondent/s Adj./S.O. to 20 1954 notire Vetermahle en 20/11/2018.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunai's orders or directions and Registrar's orders	'Tribunal's orders
	Date : 10.10.2010
	Date: 10.10.2018
	M. A. No.376 of 2018 in O. A. No.417 of 2018
	S. G. Jadhav & OrsApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
•	
	1. Heard Ms V. L. Maindad holding for Shri A. A. Desai, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.
DATE <u>101018</u> CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. In view of the reasons stated by the learned Advocate for the applicant for condonation of delay is granted.
APPEARANCE:	3. Misc. Application is allowed accordingly.
shrivSmt. N. H. M. Secholad olde hat foor A.A. Deser dvocate for the App <del>li</del> cant	4. O.A. is adjourned to 19.11.2018 for filing reply.
Shri/Smt - N.S. S. P. Manchekan C.P.O.P.O. for the Respondent/s	Sd/-
HISO TO MA. OS allowing.	
101150 10 In H - 12 10 11118	MEMBER (A)
D. A. Les Ady. to 19/11/18.	VSM

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Office Notes, Office Memoranda of Coram, Appearance, Tribunai's orders or directions and Registrar's orders	Tribunal's orders	_
		-
	Date: 10.10.2018 M.A.No.374 of 2018 in O.A. No.297 of 2018	
	Dr. K. S. UbaleApplican	it .
	Versus	
	The State of Maharashtra & OrsResponder	nts.
DATE 10/10/18 CORAM	1. Heard Ms V. L. Maindad holding for Shri A. Desai, the learned Advocate for the Applicant and S. P. Manchekar, the learned Chief Presenting Offi for the Respondents.	Ms
Hon'ble Shri P.N. DIXIT (Member) A APPEARANCE: Shrivent M.L. Majudad	2. In view of the reasons stated by the learn Advocate for the applicant for condonation of delay granted.	
Advocate for the Applicant	3. Misc. Application is allowed accordingly.	
Shrifsmt Ms. S. P. Moenchekan C.P.O.P.O. for the Respondent/s	4. O.A. is adjourned to 19.11.2018 for filing reply	ÿ.
Adj. 15.0. 10 M.A. is allowed. ).A. Adj. to 19/11/18.	Sd/- (P.N <sup>!</sup> DIXIT) MEMBER (A)	
	VSM	

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# FARAD CONTINUATION SHEET NO.

Office Notes, Office Memorando of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders Date: 10.10.2018 M.A.No.373 of 2018 in O. A. No.296 of 2018 with O.A. No.296 of 2018 Dr. K. S. Ubale .....Applicant Versus The State of Maharashtra & Ors. .....Respondents. 1. Heard Ms V. L. Maindad holding for Shri A. A. Desai, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents. DATE 10/10 8 CORAM In view of the reasons stated by the learned 2. Hon'ole Shri P.N. DIXIT (Member) A Advocate for the applicant for condonation of delay is granted. APPEARANCE Sari holding 3. Misc. Application is allowed accordingly. Pocz A. ളേഷ Achyocate for the Applicant 4. O.A. is adjourned to 19.11.2018 for filing reply. Shrivem Ms. S.P. Men C.P.Q.P.O. for the Respondent/s Sd/-Ad 150 to MA es Allowa (P.N.<sup>L</sup>DIXIT) 0. A is Ady. to 19/11/1 MEMBER (A) VSM

#### ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 10.10.2018	
· · · · · · · · · · · · · · · · · · ·	O. A. No. 247 of 2018	
	S. V. KawathekarAppl	icant
	Versus	
	The State of Maharashtra & OrsRespo	ndents.
	1. Heard Shri K. R. Jagdale, the learned A	dvocate
	for the Applicants and Ms S. Suryawanshi, the	learned
	Presenting Officer for the Respondents.	
DATE 10/10/18		
CCRAM	2. Learned P.O. for the Respondents	seeks
Hen'ble Shri P.N. DIXIT (Member) A	adjournment for filing reply.	
AEPEARANCE:	3. S.O. to 19.10.2018.	
Smisst K.R. Jagdale		
Advocate for the Applicant		
siment Mars. Scenerounanale	· ·	
CAUTEQ. for the Respondentis	(P.N. DIXIT)	
Ad 15.0 to 19/10/18.	MEMBER (A)	
all car		
	VSM	

#### ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribungl's orders or directions and Registrar's orders	Tribunal's orders
	Date : 10.10.2018
	O. A. No. 322 of 2018
	Y. A. MandaleApplicant
	Versus
,	The State of Maharashtra & OrsRespondents
	1. Heard Shri B. A. Bandiwadekar, the learned
	Advocate for the Applicant and Shri A. J. Chougule, the
	learned Presenting Officer for the Respondents.
DATE 10/10/18 CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. Learned P.O. for the respondents files Affidavit- in-Reply. The same is taken on record.
APPEARANCE: Shrivsmt B.A. Boenclicosodokan	3. Matter is admitted and kept for final hearing in - due course with liberty to the applicant to file
Advocate for the Applicant	Rejoinder, if any.
Shri/Smt A.J. Chougele	
	Sd/-
end kept four final hearing in dece course.	(P.N. <sup>L</sup> DIXIT) MEMBER (A)
of and	VSM