

**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>10/10/18</u></p> <p><u>PAM</u> Member Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri <u>R.M. Kolge</u> Advocate for the Applicant Shri <u>S.D. Dole</u> P.O. for the Respondent/s S.O. to <u>31/10/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 10.10.2018</p> <p>O. A. No.613 of 2018</p> <p>A.V. MahajanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Shri S. D. Dole, the learned Presenting Officer for the Respondents.</p> <p>2. 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.</p> <p>3. Learned Advocate for the Applicant seeks two weeks time to seek instructions from his client regarding clarification on the issue of equivalent post.</p> <p>4. S.O. to 31.10.2018.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>


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<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p>	<p>Date: 10.10.2018</p> <p>O. A. No.773 of 2018</p>
<p>APPEARANCE: Shri/Smt. <u>B. A. Bandiwadekar</u> Advocate for the Applicant</p>	<p>J. A. SurtiApplicant</p>
<p>Shri/Smt. Ms. S. P. Manchekar C.P.O. for the Respondent/s</p>	<p>Versus The State of Maharashtra & Ors.Respondents.</p>
<p>Adj/S.O. to <u>26/11/18</u></p> 	<p>1. Heard Shri B. A. Bandiwadekar, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C. P. O. for the Respondents seeks four weeks time to file Affidavit-in-Reply.</p> <p>3. S.O. to 26.11.2018.</p>
	<p>Sd/- (P.N. DIXIT) MEMBER (A)</p>
	<p>VSM</p>

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<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>B.A. Bandiwadekar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u> C.P.O. for the Respondents</p> <p>Adj. S.O. to <u>15/10/18</u></p>	<p>Date: 10.10.2018</p> <p>O. A. No.790 of 2018</p> <p>V. R. ThokApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, the learned Advocate for the Applicant and Smt. Kranti Galkwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file reply.</p> <p>3. Learned Advocate for the Applicant mentions that O. A. No.482/2018 having similar issue is kept for hearing on 15.10.2018. He, therefore, requests that this O.A. may also be tagged together.</p> <p>4. S.O. to 15.10.2018</p> <p style="text-align: right;">Sd/- (P.N./DIXIT) MEMBER (A)</p> <p>VSM</p>

(Spl. MAT-2 E)

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<p>DATE <u>10/10/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>B.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>26/11/18</u></p> <p style="text-align: right;"><i>Ques</i></p>	<p>Date : 10.10.2018</p> <p>O. A. No.772 of 2018</p> <p>T. J. PadviApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. A. Bandiwadkar, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C. P. O. for the Respondents seeks four weeks time to file Affidavit-in-Reply.</p> <p>3. S.O. to 26.11.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p style="text-align: center;">VSM</p>

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<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>B.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>2/11/18</u></p>	<p>Date : 10.10.2018</p> <p>O. A. No. 782 of 2018</p> <p>P. K. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadkar, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. for the Respondents seeks two weeks time to file reply. 3. S.O. to 02.11.2018. <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p><u>Smt. K.S. Gaikwad</u> P.O. for the Respondents.</p> <p><u>S.O. to 20/11/18.</u></p>	<p>Date : 10.10.2018</p> <p>O. A. No. 710 of 2018</p> <p>P.B. WaghmareApplicant</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 Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents seeks time to file Affidavit-in-Reply. 3. S.O. to 20.11.2018.

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

VSM

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<p>DATE <u>10/10/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>Ms. Anupama Kumari</u> <u>Mr. D.B. Khase</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.D. Dole</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>26/11/18</u></p>	<p>Date: 10.10.2018</p> <p>O. A. No.731 of 2018</p> <p>K. S. AwareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms Anupama Kumari holding for Shri D. B. Khaire, the learned Advocate for the Applicant and Shri S. D. Dole, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks four weeks time to file Affidavit-in-Reply.</p> <p>3. S.O. to 26.11.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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Tribunal's orders

DATE 10/10/18

CORAM

Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE:

Shri/Smt. K. R. Jagdale

Advocate for the Applicant

Shri/Smt. K. S. Gaikwad

P.O. for the Respondent/s

Adj. to 20/11/18

[Signature]

Date : 10.10.2018

O. A. No. 709 of 2018

V. V. GhanwatApplicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned P.O. for the Respondents seeks time to file Affidavit-in-Reply.

3. S.O. to 20.11.2018.

Sd/-

(P.N. DIXIT)
MEMBER (A)

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<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri Smt. <u>B.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri Smt. <u>S.P. Manchekar</u> C.P.O. for the Respondent/s 1,2,3 Reply filed by R. No. 1/3. Advise to Matter as <u>admitted and kept for final hearing in due course.</u></p>	<p>Date : 10.10.2018</p> <p>O. A. No. 376 of 2018</p> <p>P. K. Supekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadkar, the learned Advocate for the Applicants and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. for the Respondents files reply on behalf of Respondent Nos.1, 2 & 3. 3. Learned Advocate for the Applicant is at liberty to file rejoinder, if any. 4. Matter is admitted and kept for final hearing in due course. <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p style="text-align: center;">VSM</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI

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.

1004

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

7009

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 intimation. 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 by issuing impugned order. The orders of termination were served on 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 31st 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 31st October, 2018.

Sd/-

(B.P. Patil)
Member-J
10.10.2018

skw

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<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri. B.P. Patil (C.M.J.)</u> Hon'ble (Chairman)</p> <p>APPEARANCE FOR OF <u>A.V. Bandiwadkar</u></p> <p>APPEARANCE FOR OF <u>S.T. Suryawanshi</u> C.P./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>31/10/2018</u></p> <p style="text-align: right;"><i>M.E.</i></p>	<p style="text-align: center;"><u>O.A.401/2018</u></p> <p>Mr. R.L. Boga ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files Affidavit-in-reply on behalf of Respondents 1 to 3. The same is taken on record.</p> <p>3. S.O. to 31st October, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

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<p>DATE : <u>10/10/2018</u></p> <p>COPIES TO: <u>Shri. B.P. Patil (M)</u> Hon'ble Justice <u>H. Jeshi (Chairman)</u></p> <p>APPEARANCE: Shri. <u>B.A. Bandiwadker</u></p> <p>Advocate for: <u>K.S. Gaikwad</u> C.P.C/30. for the Respondents <u>No. 3.</u> <u>None for the R.No. 1 & 2.</u> Adj./S.O. to <u>Admit.</u></p> <p>S-d. to <u>20/11/2018.</u></p> <p style="text-align: right;"><u>MLE</u></p>	<p style="text-align: center;"><u>O.A.203/2018</u></p> <p>Mr. S.K. Devkar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for Respondent No.3. None for Respondent Nos.1 and 2.</p> <p>2. The learned Advocate for the Applicant files Rejoinder. The same is taken on record.</p> <p>3. The O.A. is admitted and kept for final hearing on 20th November, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

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<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri. B.P. Patil (m/j)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri <u>A.B. Mahajan</u> Adj. for Applicant</p> <p>Shri <u>S.D. Dole</u> Adj. for Respondents</p> <p>Adj. for _____ <u>4/12/2018</u></p> <p style="text-align: right;"><i>B.P. Patil</i></p>	<p style="text-align: center;"><u>O.A.414/2018</u></p> <p>Dr. P.M. Rathi ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.B. Mahajan, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Since the pleadings are complete, the O.A. is admitted and kept for final hearing on 4th December, 2018.</p> <p>3. S.O. to 4th December, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

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<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil (mlj)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : <u>A.V. Bandiwadker</u> Adv. for the Applicant</p> <p>Shri/Ks. GaiKWad C.P.O./C.A. for the Respondent/s</p> <p>Adj./S.O. to <u>25/10/2018</u></p> <p style="text-align: right;"><i>skw</i></p>	<p style="text-align: center;"><u>O.A.490/2018</u></p> <p>Mr. P.K. Shelar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>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 re-fixed. The same is taken on record.</p> <p>3. The learned Advocate for the Applicant seeks time to take instruction from the Applicant.</p> <p>4. At his request, S.O. to 25th October, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p>

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<p>DATE : <u>10/10/2018</u></p> <p>COBAM : <u>Shri. B.P. Patil (M/J)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Sd/- <u>A.V. Bandiwadker</u> Advocate for Applicant</p> <p>Sd/- <u>S. T. Suryawanshi</u> C.P.O./R.O. for the Respondent/s</p> <p>Adj./S.O. to <u>23/10/2018.</u></p> <p style="text-align: right;"><i>B.P. Patil</i></p>	<p style="text-align: center;"><u>O.A.608/2018</u></p> <p>Mr. K.E. Pawar ... Applicant Vs. The State of Mah. & ors: ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. has produced a copy of the order dated 3rd October, 2018 by which the Applicant has been transferred from Baramati, Pune to Nevasa, Ahmednagar. The same is taken on record.</p> <p>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 20th February, 2018.</p> <p>4. Since the pleadings are complete, the O.A. is admitted and kept for final hearing on 23rd October, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p style="text-align: center;">(skw)</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>10/10/2018</u></p> <p>COB : <u>Shri B.P. Patil (M/J)</u> Hon'ble : <u>Shri Joshi (Chairman)</u></p> <p>ADJUDICATED BY : <u>M.D. Lonkar</u></p> <p>Ad. : _____</p> <p>Shri : <u>A.B. Kololgi</u> C.P.O./P.O. for the Respondent/s</p> <p>Ad./S.O. to : <u>25/10/2018</u></p> <p style="text-align: right;"><u>B.P.</u></p>	<p style="text-align: center;"><u>O.A.758/2018</u></p> <p>Mr. V.M. Bhagat & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files reply on behalf of Respondent No.3. The same is taken on record.</p> <p>3. The learned P.O. further submits that the reply of Respondents 1 and 2 is not necessary.</p> <p>4. S.O. to 25th October, 2018.</p> <p style="text-align: right;">Sd/- _____ (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 orders
<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil (M/J)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri <u>B.A. Bandiwadker</u> Advocate for the Applicant</p> <p>Shri <u>A.J. Chougule</u> C.P.C./R.O. for the Respondent/s</p> <p>Adj./S.O. to <u>31/10/2018.</u></p> <p style="text-align: right;"><i>MT Qe</i></p>	<p style="text-align: center;"><u>O.A.843/2017</u></p> <p>Mr. A.R. Ambekar ... Applicant Vs.</p> <p>The State of Mah. & ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The learned P.O. states that the Affidavit-in-reply has been filed on behalf of Respondent No.1 and he will serve the same on the other side during the course of the day. 3. The learned P.O. has further submitted that there is no need to file the reply of Respondents 2 to 5. 4. S.O. to 31st October, 2018. <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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 orders
<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil (M/J)</u> Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u></p> <p>APPEARANCE: <u>M.D. Lonkar</u></p> <p>Adj. S.O. to <u>A.B. Kololgi</u> C.P.O.P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/10/2018</u></p> <p style="text-align: right;"><u>B.P.</u> <u>G.L.</u></p>	<p style="text-align: center;"><u>O.A.202/2018</u></p> <p>Mr. S.R. Suryawanshi ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents. 2. It is seen that no notices were issued to the Respondents. 3. The matter is kept for hearing on the point of maintainability as well as on the point of limitation. 4. At the request of learned Advocate for the Applicant, S.O. to 24th October, 2018. <p style="text-align: right;">Sd/-) (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

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.
9. 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 (M/J)
Hon'ble Justice (Chairman)

APPEARANCE :
A.V. Bandiwadekar

APPEARANCE :
S. Suryawanshi
C.P. P.O. for the Respondent/s

Adj./S.O. to Issue notice made
returnable on 22/10/2018.

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>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil SM(J)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE:</p> <p>By <u>M.D. Lonkar</u> Applicant</p> <p>Shri/Smt. <u>A.B. Kologji</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/10/2018</u></p> <p style="text-align: right;"><u>BTE</u></p>	<p style="text-align: center;"><u>O.A.889/2018</u></p> <p>Dr. A.W. Vaidya ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kologji, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate for the Applicant, the matter is adjourned. The Applicant <i>has h</i> will satisfy the Tribunal on the point of maintainability of the O.A. as well as on the point of limitation.</p> <p>3. S.O. 24th October, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memorande of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil (M/S)</u> Honble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : <u>B.A. Bandiwadkar</u> Applicant</p> <p><u>S.T. Suryawanshi</u> C.P.O. for the Respondent's</p> <p>AG NO. D. : <u>31/10/2018</u></p> <p>As per order dt 10/10/2018 a sum of Rs. 1000/- is deposited towards cost in the office of this Tribunal vice Receipt No. 9194095, dt. 10/10/18.</p>	<p style="text-align: center;"><u>O.A.330/2018</u></p> <p>Ms. V.H. Kakde ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. has submitted that the Respondents is going to file Affidavit-in-reply along with the cost of Rs.1000/- during the course of the day and will serve the copy of the same on the other side.</p> <p>3. S.O. to 31st October, 2018.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p>(skw)</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>10/10/2018</u></p> <p>CORAM : <u>Shri B.P. Patil (M)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : Shri/Smt. <u>D.V. Sutar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A.B. Kololgi</u> C.P.O./R.O. for the Respondent/s</p> <p>Adj./S.O. to <u>O.A. is disposed of.</u></p> <p style="text-align: right;"><i>BT</i></p>	<p style="text-align: center;"><u>O.A.786/2018</u></p> <p>Mr. D.R. Jadhav ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri D.V. Sutar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has produced the copy of the order dated 24.08.2018 by which the charge of the post of Medical Officer, PHC Hiwale, Taluka Malvan has been kept with another Medical Officer. The same is taken on record.</p> <p>3. Learned Advocate for the Applicant has submitted that, since the additional charge of the post of Medical Officer, PHC Hiwale has been given to another Medical Officer, the grievance of the Applicant has been redressed. The Applicant does not want to proceed with the O.A. and therefore, he prayed to disposed of the O.A.</p> <p>4. Learned P.O. also prays to disposed of the O.A.</p> <p>5. Since the grievance of the Applicant has been redressed in view of the order dated 24.08.2018, nothing remains in the O.A. Hence, the O.A. is disposed of accordingly with no order as to costs.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member-J 10.10.2018</p> <p style="text-align: left;">(skw)</p>

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

Tribunal's orders

O.A.895/2018

Dr. R.D. Mall ... Applicant
Vs.
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 1st 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 5th 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.

Sd/-

(B.P. Patil)

Member-J

10.10.2018

DATE : 10/10/2018

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

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj./S.O. to Hence, O.A. is
Rejected.

[Handwritten signature]

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

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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 orders
<p>DATE : 10/10/2018</p> <p>CORAM : Shri B.P. Patil (MB) Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Sd/- K.R. Jagdale A. J. Chougule C.O. for the Respondents</p> <p>OBJ. to This matter pertains to revision of pay scale. Registrar to take appropriate steps.</p> <p style="text-align: right;"><i>B.P. Patil</i></p>	<p>Date : 10.10.2018.</p> <p style="text-align: center;">O.A.No.911 of 2015</p> <p>H.M. Chikhale & Ors.Applicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. This matter pertains to revision of pay scale.</p> <p>3. 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.</p> <p>4. Registrar to take appropriate steps.</p> <p style="text-align: right;">Sd/- (B.P. Patil) 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

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. Koloigi, 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 20th November, 2018.

DATE : 10/10/2018

CORAM : Shri B.P. Patil (MB)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri M.D. Lonkar

Advocate for the Applicant

Shri/Smt. A.B. Koloigi
C.P.O./P.O. for the Respondent/s

Adj./S.O. to ~~to~~ Issue Notice
returnable on 20/11/2018.

ME

Sd/-

(B.P. Patil)
Member-J
10.10.2018

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 orders
<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>V.L. Maindad</u> holding power <u>A.A. Desai</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj.S.O. to <u>M.A. as allowed</u> <u>O.A. as Adj. to 19/11/18.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 10.10.2018</p> <p>M. A. No.376 of 2018 in O. A. No.417 of 2018</p> <p>S. G. Jadhav & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 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. 2. In view of the reasons stated by the learned Advocate for the applicant for condonation of delay is granted. 3. Misc. Application is allowed accordingly. 4. O.A. is adjourned to 19.11.2018 for filing reply. <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p style="text-align: center;">VSM</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET NO.

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<p>DATE <u>10/10/18</u></p> <p>CORAM</p> <p>Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>V.L. Maindad,</u> holding for A.A. Desai Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S.P. Manchekar</u> C.P.O.P.O. for the Respondent/s</p> <p>Adj. so to M.A. as allowed.</p> <p>O.A. Adj. to 19/11/18.</p> <p align="right"><i>[Signature]</i></p>	<p>Date : 10.10.2018</p> <p>M.A.No.374 of 2018 in O.A. No.297 of 2018</p> <p>Dr. K. S. UbaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>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.</p> <p>2. In view of the reasons stated by the learned Advocate for the applicant for condonation of delay is granted.</p> <p>3. Misc. Application is allowed accordingly.</p> <p>4. O.A. is adjourned to 19.11.2018 for filing reply.</p> <p align="right">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 orders
<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>V.L. Maindad</u>, holding Power A.A. Desai Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S.P. Manchekar</u> C.P.O.P.O. for the Respondent/s</p> <p><u>Adv. S.O. to M.A. is Allowed</u> <u>O.A. is Adj. to 19/11/18.</u></p>	<p>Date : 10.10.2018</p> <p>M.A.No.373 of 2018 in O. A. No.296 of 2018 with O.A. No.296 of 2018</p> <p>Dr. K. S. UbaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>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.</p> <p>2. In view of the reasons stated by the learned Advocate for the applicant for condonation of delay is granted.</p> <p>3. Misc. Application is allowed accordingly.</p> <p>4. O.A. is adjourned to 19.11.2018 for filing reply.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p style="text-align: left;">VSM</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE <u>10/10/18</u> CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>K. R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. Ms. S. Suryawanshi C.P.O. for the Respondents</p> <p>Ad. S.O. to <u>19/10/18</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 10.10.2018</p> <p>O. A. No. 247 of 2018</p> <p>S. V. KawathekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K. R. Jagdale, the learned Advocate for the Applicants and Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks adjournment for filing reply.</p> <p>3. S.O. to 19.10.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p style="text-align: left;">VSM</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 orders
<p>DATE <u>10/10/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>B.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p><u>Ad. so to Matter is admitted and kept for final hearing in due course.</u></p> <p><i>[Signature]</i></p>	<p>Date: 10.10.2018</p> <p>O. A. No. 322 of 2018</p> <p>Y. A. MandaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents</p> <p>1. Heard Shri B. A. Bandiwadkar, 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 files Affidavit-in-Reply. The same is taken on record.</p> <p>3. Matter is admitted and kept for final hearing in due course with liberty to the applicant to file Rejoinder, if any.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>