THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1056 OF 2016

DISTRICT : RAIGAD

A.S. Jage .... **Applicant.**

Versus

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

Shri A.V. Bandiwadekar, learned Counsel for the Applicant.

Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

CORAM : SHRI RAJIV AGARWAL, VICE-CHAIRMAN

DATE : 10.11.2016.

O R D E R

1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. Applicant has challenged order passed by Collector, Raigad dated 09.09.2016 transferring the applicant temporarily to her office to do work of improvement and development of Raigad fort which is under Archeological Survey of India. Reliance is placed on G.R. 19.03.2016.

3. Learned Advocate stated that Applicant is an employee of Public Works Department (P.W.D.) and Collector of District have no authority to transfer him. Order dated 09.09.2016 is therefore without any authority of law and *void ab initio*. Learned P.O. sates that she has not received any instructions in this matter and sought time to file reply. At this stage learned Advocate for the Applicant stated that the Applicant is only seeking relief of stay to order dated 09.09.2016, which is prima facie illegal.

4. Considering the facts that the Applicant is an employee of P.W.D. and the G.R. dated 19.03.2016 relied upon by the Collector declares the Collectors as Head of Department and empowers him to give instructions to District Level Officer of various department for effective implementation of various developmental scheme, I do not find that this G.R. will enable the Collector to transfer the service of employees working in other department for implementing the scheme which are required to be implemented by the Collector himself. This is however, prima facie, observation subject to confirmation or otherwise when final view is taken in the matter. Prima facie, case has been made out to grant interim relief and order dated 09.09.2016 is stayed till dispose of O.A.

5. Issue notice returnable on 24.11.2016.

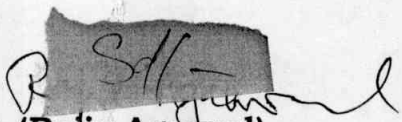
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

7. 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.

8. 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.

9. 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.

10. Applicant will be also allowed to work in his parent department as if this order was not passed. Hamdast. S.O. to 24.11.2016.



(Rajiv Agarwal)
Vice-Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1058 OF 2016

DISTRICT : PUNE

B.B. Pote **.... Applicant.**

Versus

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

Shri C.T. Chandratre, learned Counsel for the Applicant.

Ms. S. Suryawanshi, learned Presenting Officer for the Respondents.

CORAM : SHRI RAJIV AGARWAL, VICE-CHAIRMAN

DATE : 10.11.2016.

O R D E R

1. Heard Shri C.T. Chandratre, learned Counsel for the Applicant and Ms. S. Suryawanshi, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant is seeking Interim Relief of staying the order dated 18.10.2016 re-fixing the pay of the Applicant. Learned Advocate stated that the Applicant was granted time bound promotion w.e.f. 01.10.1994 in terms of G.R. dated 08.06.1995 considering the post in which he was working was an isolated one. However, by G.R. dated 17.12.2011 some promotional channels have been created and on that basis his pay, which was fixed way back w.e.f. 01.10.1994, has been revised. The recovery of more than Rs.4,00,000/- has been ordered.

3. Learned Advocate stated that no G.R. can be applied retrospectively and also in view of the judgment of Hon'ble Supreme Court in the case of **State of Punjab and others vs. Raffique Mashiha (white washer). etc.** no recovery is permissible from a Group 'C' employee unless there is misrepresentation or fraud alleged.

4. Learned P.O. seeks time to file reply. However, considering the submissions made by learned Advocate, I am inclined to grant interim relief of staying the order dated 18.10.2016 regarding recovery of alleged excess payment made to the Applicant. The aforesaid order is hereby stayed till disposal of this O.A.

5. Issue notice returnable on 08.12.2016.

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

7. 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.

8. 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.

9. 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.

10. Hamdast. S.O. to 08.12.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

2

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 10/11/16 CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: Shri/Smt. M.D. Lonkar Advocate for the Applicant ~~Shri/Smt.~~ Ms. S. Suryawanshi ~~C.P.O.~~ P.O. for the Respondents Reply Filed by R.No.1 ~~Adj. To~~ O.A. is admitted. S.O. to 17/11/16. FH	**Date : 10.11.2016.** **O.A.No.839 of 2016** **S.S. Naik .... Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** 1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Ms. S. Suryawanshi, learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondents. Learned Advocate for the Applicant states that he does not wish to file any affidavit-in-rejoinder. 3. O.A. is admitted. To come up for Final Hearing on 17.11.2016. Sd/- **(Rajiv Agarwal)** **Vice-Chairman** prk

[PTO

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16

CORAM :

Hon'ble Shri RAJIV AGARWAL (Vice - Chairman)

~~Hon'ble Shri P. N. Dixit (Member)~~

APPEARANCE :

~~Shri/Smt.~~ Punam Mahajan

Advocate for the Applicant

Shri ~~/Smt.~~ N.K. Rajpurohit

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

Reply Filed by R.No. 3.

~~Adj. To:~~ O.A. is admitted.

S.O. to 24/11/16.

FH closed

Date : 10.11.2016.

O.A.No.975 of 2016

R.T. Chavan .... Applicant.

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondents. Learned Advocate for the Applicant states that she does not wish to file any affidavit-in-rejoinder.

3. O.A. is admitted. To come up for Final Hearing on 24.11.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

[P.T.O.

2

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ A.S. Deshpande

Advocate for the Applicant

~~Shri/Smt.~~ Ms. N.G. Gohad

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

~~Adj. To~~ S.O. to 6/12/16.

Date : 10.11.2016.

O.A.No.635 of 2016

S.D. Jagtap .... Applicant.

Versus

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

1. Heard Shri A.S. Deshpande, learned Counsel for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. In this Tribunal, the matter was before the Hon'ble Chairman on 11.08.2016 and learned P.O. has stated that decision regarding pension of Applicant will be taken within the period of three months. However, no reply on the assurance given by learned P.O. is forthcoming, no affidavit-in-reply is filed. Costs of Rs.5,000/- ~~be~~ is imposed on Respondent No.2 i.e. Director of Prosecution. If no reply is filed on the next date, appropriate action will be taken.

3. S.O. to 06.12.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

[P.T.O.

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

Date : 10.11.2016.

O.A.No.1050 of 2016

S.V. Kshirsagar .... Applicant.

Versus

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

1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Shri N.K. Rajpurohit, Chief learned Presenting Officer for the Respondents.

2. Issue notice returnable on 08.12.2016.

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. S.O. to 08.12.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

DATE : 10/11/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
~~Shri/S~~ B.A. Bandiwadekar
Advocate for the Applicant
~~Shri / Smt.~~ N.K. Rajpurohit
C.P.O. ~~/P.O. for~~ the Respondents
~~Adj. To~~ S.O. to 8/12/16.

2

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 10.11.2016.

O.A.No.814 of 2016

S.G. Bhil .... Applicant.

Versus

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

1. Heard Ms. S. Suryawanshi, learned Presenting Officer for the Respondents. None for the Applicant.

2. The matter may be kept for dismissal after four weeks.

3. S.O. to 08.12.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

DATE: 10/11/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ None for the Applicant.

Advocate for the Applicant

~~Shri/Smt.~~ Ms. S. Suryawanshi

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

~~Adj. To~~ S.O. to 8/12/16 for dismissal

[P.T.O.

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

Date : 10.11.2016.

O.A.No.932 of 2016 with O.A.No.933 of 2016

D.L. Dhodi (O.A.No.932/2016)
R.P. Mokashi (O.A.No.933/2016) .... Applicants.

Versus

The State of Maharashtra ....Respondent.

1. Heard Shri C.T. Chandratre, learned Counsel for the Applicants and Ms. S. Suryawanshi, learned Presenting Officer for the Respondent.

2. On the last occasion this Tribunal has passed the following order :-

> "3. Shri C.T. Chandratre, the learned Advocate insists on granting of interim relief. Considering the submissions, I direct that regardless of whether the replies are filed or not, on the next date, I shall be hearing these matters for interim relief and if the affidavit-in-replies are filed or not filed, I may even consider to finally dispose of these OAs at the admission stage itself that is because such are the facts herein."

3. In both these Original Applications clear directions were given that reply should be filed on or before next date and in absence of replies matter will be heard finally or atleast for interim relief. However, despite clear instructions from Tribunal no reply is filed.

4. I ~~am~~ was inclined to hear the matter finally. The persons, who are representative of Respondent namely Shri Surendra S. Nawale, Tahsildar (Revenue) and Shri Narayan Shinde, Clerk (Estt.) are present and have not brought full papers in this Tribunal. They are not able to show service of charge-sheet on the applicants, so it is not known whether the charge-sheets have already been served on them or not. It appears that some enquiry officers have been appointed to conduct enquiry into the charges against the Applicants. This attitude of Respondent is highly irresponsible and hampers the working of this Tribunal. Cost of Rs.5,000/- in each case is imposed on Respondent which should be deposited in the Registry of the Tribunal before next date.

5. Learned P.O. prays for a week's time for filing reply. Hamdast. S.O. to 17.11.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

DATE: 10/11/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ C.T. Chandratre
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
~~C.P.O./P.O.~~ for the Respondents
~~Adj. to~~ S.O. to 17/11/16.
Hamdast.

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

Date : 10.11.2016.

O.A.No.945 of 2016

G.M. Madake .... Applicant.

Versus

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

1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents is being instructed by Shri V.D. Suryawanshi, D.F.O. and C.D. Bharmal, Director, Shahapur Training Institute. On the last occasion Shri V.D. Suryawanshi, D.F.O. who is present today had made it clear that no inquiry is so far ordered against the Applicant.

3. This Tribunal on 06.10.2016 has ordered that Interim Relief sought by the Applicant that his gratuity may be released in full ~~was~~ be granted, However, by order dated 03.11.2016 only 90% of the amount of gratuity has been released. The order of this Tribunal has not been complied with. Hence, the cost of Rs.10,000/- is imposed on Respondent No.2 which should be deposited in Registry of the Tribunal before next date.

4. It is also made clear that if the balance amount of gratuity is not released before next date, this Tribunal will be constrained to take further appropriate action in this matter.

5. Learned P.O. prays for two weeks time. Hamdast S.O. to 24.11.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

DATE : 10/11/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
Shri/~~Smt.~~ M.D. Lonkar
Advocate for the Applicant
~~Shri~~/Smt. : K.S. Gaikwad
~~C.P.O./~~P.O. for the Respondents
~~Adj. To~~ S.O. to 24/11/16.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16
CORAM : Shri R.B. Malik (M/J)
Hon'ble ~~Shri A. H. Joshi (Chairman)~~
Hon'ble ~~Shri Rameshkumar (Member) A~~
APPEARANCE :
Shri ~~S~~ A.V. Bandiwadekar
Advocate for the Applicant
Shri S. Suryawanshi
C.P.O / ~~P.O.~~ for the Respondent/s

Adj. To..... Issue notice returnable on 1/12/16.

M.A.411/2016 in O.A.314/2016

Shri S.P. Kadam ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant, Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents 1 to 3 and Shri M.D. Lonkar, the learned Advocate for original Applicant.

Issue notice returnable on 01.12.2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 1st December, 2016.

Sd/-
(R.B. Malik)
Member (J)
10.11.2016

(skw)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.1017/2016

Shri S.S. Chaudhari ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Shri S.S. Dere, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 08.12.2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 8th December, 2016.

Sd/-

(R.B. Malik) 10.11.16
Member (J)
10.11.2016

(skw)

DATE : 10/11/16
CORAM : Shri R.B. Malik
Hon'ble ~~Justice Shri A. H. Joshi (Chairman)~~
Hon'ble ~~Shri M. Ramesh kumar (Member)~~ A

APPEARANCE :
Shri/Smt. : Hans for the appl.
Advocate for the Applicant
Shri /Smt. : K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To.....Issue notice returnable on 8/12/16.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.1049/2016

Shri A.G. Bhosale ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Shri Bhise, the learned PO is being instructed by Shri D.D. Panpatil, Chief Administrative Officer, Thane. The Applicant having served in whatever capacity did it for about 30 years. He has been admittedly terminated without even a show cause notice. On the fact of it, it is a serious matter requiring urgent consideration of the relief. The post rendered vacant by the reason of the impugned action is still vacant. I direct that a short date is being given for reply and on that day, regardless of whether reply is filed or not, the matter will be heard for effective interim relief. Till then, the post lying vacant be kept ~~like~~ as such, so that depending upon the order made at the interim stage, unnecessary hassle is not brought and third party rights are not unnecessarily created. But I make it clear that these are the prima-facie observations without the benefit of the Affidavit-in-reply. I understand that there was already about 10 days advance notice and therefore, looking to the urgency involved, the Respondents must file the Affidavit-in-reply and I have already made it clear that regardless of whether the matter will be effectively heard for interim relief.

S.O. to 22nd November, 2016.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

DATE: 10/11/16
CORAM: Shri R.B. Malik (M/J)
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
~~Hon'ble Shri M. Ramesh kumar (Member) A~~
APPEARANCE:
Shri/~~Smt.~~: A.V. Bandiwadekar
Advocate for the Applicant
Shri /~~Smt.~~: K.B. Bhise
C.P.O / P.O. for the Respondent/s
Adj. To 22/11/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applic nt/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.137 of 2014 in O.A. No.242 of 2013
DATE : 10/11/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : ~~Shri/Smt.~~ : None for the opp. Advocate for the Applicant ~~Shri~~/Smt. : Archana B.K C.P.O / P.O. for the Respondent/s Adj. To 17/8/2017.	Shri S.A.K. Miyan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents None for the Applicant. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Ld. PO states that the writ petition filed by the State in the Hon'ble High Court is admitted and the order passed by this Tribunal in the OA is stayed. 3. In view of this the hearing of CA is adjourned to 17.8.2017. Sd/- (A.H. Joshi, J) Chairman 10.11.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.120 of 2015 in O.A. No.313 of 2015
	Dr. R.S.S.G. Abbas ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Miss S.P. Manchekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. At the request of Ld. PO adjourned to 16.11.2016. Sd/- (A.H. Joshi J.) Chairman 10.11.2016 (sgj)
DATE : 10/11/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : ~~Shri~~/Smt. : S.P. Manchekar Advocate for the Applicant ~~Shri~~/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 16/11/2016.	

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. ..... of 20 DISTRICT .....

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

C.A. No.51 of 2014 in O.A. No.465 of 2008

The Tracers Association ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

None for the Applicant. Heard Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Ld. PO states that the order passed by this Tribunal is carried before the Hon'ble High Court and writ petition filed by the State is expected to come up for hearing on 10.5.2017 as per CMIS date given by the Registry of the Hon'ble High Court.

3. In view of the statement of the Ld. PO, hearing is adjourned to 7.7.2017.

Sd/-

(A.H. Joshi, J.)
Chairman
10.11.2016

(sgj)

DATE : 10/11/2016

CORAM :

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

~~Hon'ble Shri M. Ramesh kumar (Member) A~~

APPEARANCE :

Shri/Smt. : Time for the call.

Advocate for the Applicant

Shri /~~Smt.~~ : K.B. Bhise

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

~~Adj.~~ To 7/7/2017.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders. O.A. No.364 of 2015

Smt. N.P. Tamhankar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Shri Bandiwadekar, Ld. Advocate has tendered affidavit in rejoinder. It is taken on record and copy is given to Ld. PO.

3. Ld. PO has tendered affidavit in sur-rejoinder. It is taken on record.

4. Shri Bandiwadekar, Ld. Advocate prays for adjournment of hearing beyond three weeks.

5. S.O. to 8.12.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
10.11.2016

(sgj)

DATE: 10/11/2016

CORAM:

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

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE:

~~Shri/Smt.~~ : A.V. Bandiwadekar

Advocate for the Applicant

~~Shri/~~Smt. : K.S. Gaikwad

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

Adj. To 8/12/2016:

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders MA.215/16 in O.A.326/16 with OA.61/16
DATE : 10/11/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : ~~Shri~~/Smt. : S.P. Manchekar Advocate for the Applicant ~~Shri~~/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 16/11/2016.	Dr. Y.M. Kokadwar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Miss S.P. Manchekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Both the OAs are admitted and listed for final hearing on 16.11.2016. Sd/- (A.H. Joshi, J.) Chairman 10.11.2016 (sgj)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. ..... of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders MA.445/16 in O.A.397/16 (Aurangabad) with MA.446/16 in O.A.398/16 (Aurangabad)

Shri S.Y. Sawant
Shri S.K. Malik ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Shri Chandratre, Ld. Advocate states that the group of OAs which are pending at Aurangabad are likely to be listed on board tomorrow and requests for adjournment for two weeks.

3. Hence, S.O. to 28.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
10.11.2016

(sgj)

DATE: 10/11/2016
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramesh kumar (Member) A

APPEARANCE:
Shri/~~Smt.~~ : C. T. Chandratre
Advocate for the Applicant
~~Shri~~/Smt. : S. Suryawanshi
C.P.O / P.O. for the Respondent/s

Adj. To 28/11/2016.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.73 of 2016 in O.A. No 633 of 2015
DATE: 10/11/2016 CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE: ~~Shri/Smt.~~ : A.V. Bandiwadekar Advocate for the Applicant ~~Shri/Smt.~~ : S. Suryawanshi C.P.O / P.O. for the Respondent/s Adj. To 7/12/2016.	Shri D.G. Pore & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents. 2. Ld. PO states that the order dated 24.10.2016 passed by this Tribunal in above CA is carried before the Hon'ble High Court and the Hon'ble High Court has kept the said order in abeyance till 29.11.2016. 3. Shri Bandiwadekar, Ld. Advocate states that let the CA may be adjourned a week after date fixed by the Hon'ble High Court. 4. In view of the request of Ld. Advocate, adjourned to 7.12.2016. Sd/- (A.H. Joshi, J.) Chairman 10.11.2016 (sgj)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.44 of 2014 in O.A. No.364 of 2011

Shri V.Y. Mokashi ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

None for the Applicant. Heard Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Ld. PO states that the order passed by this Tribunal is carried before the Hon'ble High Court and writ petition filed by the State is expected to come up for hearing on 11.5.2017 as per CMIS date given by the Registry of the Hon'ble High Court, however, efforts shall be made to have the date of hearing advanced.

3. In view of the statement of the Ld. PO, hearing is adjourned to 29.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
10.11.2016

(sgj)

DATE: 10/11/2017

CORAM:

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

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE:

Shri/Smt.: none for the appl.

Advocate for the Applicant

Shri /Smt.: K.B. Bhise

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

Adj. To 29/11/2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.756 of 2016

Shri S.D. Mane ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Applicant is not present. Heard Shri P.S. Pathak, learned Advocate appointed and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO prays for time for filing affidavit in reply.

3. Registrar is directed to mark paragraph numbers without any change or fresh typing of the application in Marathi as per marking which is shown.

4. S.O. to 2.1.2017.

Sd/-

(A.H. Joshi, J.)
Chairman
10.11.2016

(sgj)

DATE: 10/11/2016

CORAM:

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

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE:

~~Shri/Smt.~~ P.S. Pathak

Advocate for the Applicant

~~Shri/Smt.~~ K.S. Gaikwad

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

Adj. To 2/1/2017.

10.11.2016

Order dt 10.11.2016 issued by the Hon'ble Court is Complied.

P.O
10.11.2016

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.904/2016

Shri S.B. Patekar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

Shri Bandiwadekar, the learned Advocate informs that the Applicant does not want to file Rejoinder. Admit. Liberty to mention granted.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

DATE : 10/11/16
CORAM : Shri R.B.Malik (M/J)
~~Hon'ble Justice Shri A.H. Joshi (Chairman)~~
~~Hon'ble Shri G. Rameshkumar (Member) A~~
APPEARANCE :
Shri/~~Smt~~ A.V. Bandiwadekar
Advocate for the Applicant
Shri/~~Smt~~ N.K. Rajpurohit
C.P.O. / P.O. for the Respondent/s
Adj. To Admit. Liberty to mention granted.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16

CORAM : Shri R.B.Malik (M/J)

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

Hon'ble ~~Shri M. Ramakrishnan (Member) A~~

APPEARANCE :

Shri/Smt. : Punam Mahajan

Advocate for the Applicant

Shri /Smt. : K.B.Bhise

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

Admit.

Adj. To 1/12/16.

O.A.298/2016

Shri S.R. Koli ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri K.B. Bhise holding for Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

The request of the learned PO for grant of more time to file reply is rejected in view of the fact that last chance was already granted. It is, however, made clear that on the date the matter appears for hearing, if the reply is tendered, it will be taken on record but no adjournment shall be granted for the same. The OA is now formally admitted and appointed for final hearing before the 2nd Division Bench on 1st December, 2016.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.1035/2016

Shri S.L.Gavate ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri A.B. Hotkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 08.12.2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 8th December, 2016.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

DATE : 10/11/16
CORAM : Shri R.B.Malik (M/J)
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
~~Hon'ble Shri M. Ramakrishnan (Member)~~ A
APPEARANCE :
Shri/Smt. A.B. Hotkar
Advocate for the Applicant
Shri/Smt. K.B. Bhise
C.P.O / P.O. for the Respondent/s
Adj. To. Issue notice returnable on 8/12/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16

CORAM : Shri R.B. Malik (M/J)

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

Hon'ble ~~Shri M. Ramesh kumar (Member) A~~

APPEARANCE :

~~Shri/Smt.~~ : V.H. Shekdar

Advocate for the Applicant

~~Shri/~~Smt. : K.S. Gaikwad

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

Adj. To Admit. Liberty to mention granted.

O.A.828/2015

Shri K.B. Mahajan & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri V.H. Shekdar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Affidavit-in-rejoinder is taken on record. Admit. Liberty to mention granted.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE: 10/11/16
CORAM: Shri R.B. Malik (M(J))
~~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. B. Kololgi
C.P.O / P.O. for the Respondent/s

Adj. To 22/11/16.

BRE

O.A.861/2016

Shri D.T. Karche ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Affidavit-in-reply of Respondent No.3 has already been filed. The learned PO seeks an adjournment for filing the Affidavit-in-reply on behalf of Respondent Nos. 1 & 2. Last chance is granted. S.O. to 22nd November, 2016.

Sd/-
10.11.16
(R.B. Malik)
Member (J)
10.11.2016

(skw)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16
CORAM :
Hon'ble ~~Shri R.B. Joshi (Chairman)~~ Shri R.B. Malik (M(J))
Hon'ble Shri [illegible] Kumar (Member) A
APPEARANCE :
Shri/Smt. Advocate for the Applicant Leave note of adv. K.R. Jagdale taken on record.
Shri/Smt. A.B. Kololgi for the Respondent/s
Adj To 17/11/16.

O.A.84/2016

Mrs. S.D. Muluk ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

There is a Leave Note of the learned Advocate for the Applicant Shri K.R. Jagdale. Heard Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Dr. Rajendra S. Mane, Deputy Commissioner of Police in the Office of Commissioner of Police (H.Q), New Mumbai is present. He tenders an Affidavit styled as Affidavit in compliance of the order dated 20.10.2026. It is taken on record. I am informed at the Bar that Dr. Mane will be on some training which is absolutely necessary, and therefore, a little longer date is being sought. As far as the next date is concerned, the request of Dr. Mane is accepted and for the present, the OA remains adjourned as before to 17th November, 2016.

S.O. to 17th November, 2016.

Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(skw)

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.25 of 2015 in O.A. No.558 of 2013
DATE : 10/1/17 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishnan (Member) A APPEARANCE : Shri/Smt. none for the appl. Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 15/1/2016.	Shri S.T. Marakwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents None for the Applicant. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Ld. PO states that appropriate communication is sent by the respondents to the office of Accountant General and the progress would be communicated on day to day basis. 3. S.O. to 15.11.2016. Sd/- (A.H. Joshi, J.) Chairman 10.11.2016 (sgj)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

CONTEMPT APPLICATION NO.69 OF 2016

IN

ORIGINAL APPLICATION NO.254 OF 2015

Shri S.T. Mete ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri C.T. Chandratre – Advocate for the Applicant

Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 10th November, 2016

ORDER

1. Heard Shri C.T. Chandratre, learned Advocate for the applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO has tendered affidavit. It is taken on record.

3. Ld. PO states that Govt. has issued circular dated 25.10.2016 and various measures have been prescribed.

4. Perused the affidavit and the Govt. circular.

5. It prima facie reveals that:

(a) The measures which have been recommended / prescribed indicate that the circular is silent as to what stage and the manner in which and time limit within which the orders and notices be brought to the notice of the Secretary.

(b) It proceeds on a foundation as if the Secretary is unconcerned and all actions have to be taken by subordinates.

(c) It creates an impression that under the Rules of Business the Deputy or Under Secretary is vested with the powers of the Govt.

(d) The modality shown in the circular amazingly immune the Secretary from any role whatsoever and actions to be taken are left to lower ranks.

(e) The junior officers are apparently made responsible without powers and authority while the Secretary/Principal Secretary have no role / duty whatsoever.

(f) Even it is not seen that any time limit etc. for action is prescribed.

6. In this background it is necessary to call Shri Ashish Kumar, Principal Secretary, Public Works Department and put him some questions and, therefore, he is directed to remain present on 17.11.2016.

7. S.O. to 17.11.2016.

8. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.

Sd/—

(A.H. Joshi, J.)
Chairman
10.11.2016

Recd.
10/11/16
Clerk
CPO, MAT
Mumbai

Dictation taken by: S.G. Jawalkar.

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

M.A.377/2016 in R.A.27/2015 in O.A.651/2012

Shri V.P. Pawar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

The Applicant by this MA seeks an order of recall of this Bench's order in the finally disposed of OA dated 16.6.2015 under the provisions quoted herein.

We have perused the record and proceedings and heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

In fact, the language in which the prayer clause is phrased would make it quite clear that for all practical purposes what is sought is review of the order of the OA. That fact would become clear from the provisions of law cited therein. We are of the opinion that if need be, the pending Review Application (RA) may be allowed to be amended and the facts herein set out be allowed to be incorporated. The compliance be made within two weeks from today. A consolidated copy of the RA after amendment be filed and a copy thereof be furnished to the learned PO. The Misc. Application is accordingly disposed of with no order as to costs.

Sd/- Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(Rajiv Agarwal)
Vice-Chairman
10.11.2016

(skw)

DATE: 10/11/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/~~Smt.~~ A.V. Bandiwadekar
Advocate for the Applicant
Shri/~~Smt.~~ K.B. Bhise
~~C.P.O./~~P.O. for the Respondents

~~Adj. To~~ M.A. is disposed of.
R.A. Adj. to 24/11/16.

[P.T.O.

..... Respondent/s

(Presenting Officer.....)

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

DATE : 10/11/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
Shri V.P. Potbhare
Advocate for the Applicant
Shri N.K. Rajpurohit
P.O. for the Respondents

Adj. To 24/11/16.
Heard ast.

C.A.75/2016 in O.A.318/2014

Shri M.S. Shikhare ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri V.P. Potbhare holding for Shri J.N. Kamble, the learned Advocate for the Applicant and Ms. S. Suryawanshi holding for Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

The learned PO is being instructed by Mr. Chormale, API, Solapur Rural, Solapur. The order which has not been complied with is regarding the payment of pension made by this very Bench on 27th October, 2015 and three months' time was given for compliance. The same has not been complied with so far. When we granted three months' time, we took into consideration every aspect of the procedure that wuld be requited to be followed including that at the end of the A.G. The pension matters cannot be allowed to drag on like this for very obvious reasons. We are not at all convinced of there being any justification in the matter of non-compliance with our order and we are satisfied that a show cause notice is required to be issued at present to Shri S. Viresh Prabhu, Superintendent of Police, Solapur Rural, Solapur. The questin of issuance of a similar notice to the Respondents 1 & 2 is for the present left open.

Issue notice to the Respondent No.3 – Mr. S. Viresh Prabhu, Superintendent of Police, Solapur asking him to show cause as to why an appropriate contempt action be not initiated against him made returnable on 24th November, 2016. Hamdast.

Sd/- Sd/-

(R.B. Malik)
Member (J)
10.11.2016

(Rajiv Agarwal)
Vice-Chairman
10.11.2016

(skw)

[P.T.O.