Date : 10.12.2018

T.G. Kulkarni

Versus

O.A.No.493 of 2018

....Applicant

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

Tribunal's orders

1. Heard Shri Lata Patne, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. In present O.A. challenge is to the transfer order dated 31.5.2018 whereby the Applicant was transferred from District Training Centre (Health Department), Aundh Camp, Pune, District Pune to Primary Health Centre (PHC), katewadi, Taluka Baramati, District Pune.

3. During the pendency of this O.A., the directions were given to consider the representation of the Applicant for transfer in view of the family problem at Pune.

4. Today, learned P.O. for the Respondents on instructions received from Shri Shekhar Jadhao, A.S.O., Public Health Department submitted that the matter was placed before Civil Service Board and thereafter it was placed before Competent Authority but the request of the Applicant has been rejected.

As such, now matter needs to be decided on merit.
 As the pleadings are completed the matter is admitted and adjourned for final hearing.

7. S.D. to 13.1.2019.

(A.P. Kurhekar) Member (J)

Sd/-

sba

DATE - 10/12 COERM Honible Shri A. P. Kurhekar, Member (J)

Pathe:

APPEARANCE

ShritSmt Lata

Advocate for the Applicant

Shri/Smt. N.G. Gohad

Ad 180 to 0. A. cu adhei 5.0. +0 13/1/19.

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

Spl.- MAT-F-2 E.

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

of 20

Original Application No.

ΙN

of 20

# FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.896/2018 ... Applicant Shri B.T. Lahupachang Vs. ... Respondents The State of Mah. & ors. Heard Mr. M.D. Lonkar, learned Advocate for 1. the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents. Today, learned P.O. has filed Affidavit-in-2. reply. It is taken on record. DATE As the pleadings are completed, the matter is 3. LA. P. Kurhekar, Member (J) admitted. As the point involved is very short, final 4. arguments are heard and Judgment is delivered. OWLOW Advocate for the Applicant Sd/-O. for the Respo (Å.P. Kurhekar) he Dass Member-J Adi./S.O. to 10.12.2018 20 Centr (skw)

	ADMINISTRATIVE TRIBUNAL MUMBAI
Quiging Application N.	
Original Application No.	f 20 District
	Applicant
(Advocate	)
	versus
The State of	of Maharashtra and others
	Respondent
(Presenting Officer	······) ·····
Office Notes, Office Memoranda of Curum, Appearance, Tribunal's orders or directions and Registrar's urders	Tribunal's orders
	Date : 10.12.2018
	O.A.No.769 of 2018
	N.S. ShindeApplicant
	Versus
	The State of Maharashtra & OrsResponden
	1. Heard Shri B.A. Bandiwadekar, the leari
	Advocate for the Applicant and Ms. S. Suryawanshi,
DATE: 10/12/18	learned Presenting Officer for the Respondents.
CORAM	2. Today, learned Advocate for the Applicant has fi
Hon'bla Shri. A. P. Kurhekar, Member (J)	affidavit-in-rejoinder. It is taken on record.
APPEARANCE	
Shrijsont B.A. Beendowoodeke	3. As the pleadings are completed, the matter
Advocate for the Applicant	admitted for final hearing.
	4. S.O. to 7.1.2019.
Shrijsmt Mu. S. Scerejawahshi	
Adj. $(S.O. to \frac{7}{10})$	K
Rejoinder Releaslacy Graf	Sd/-
Applicant: V /	(A.P. Kurhekar)
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Tribunal's orders

Date : 10.12.2018

2

O.A.No.768 of 2018

K.R. Nannaware

Versus

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

....Applicant

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

2. In present O.A., Applicant is seeking directions to the Respondents to release his retiral dues with all consequential benefits as he stands retired on 31.12.2016.

3. Enough time is granted to learned P.O. to file reply. As the Applicant stands retired long back, application needs to be expedited to ensure release of retirement benefit.

4. Learned P.O. for the Respondents submitted that after retirement, charge sheet has been issued and departmental enquiry has been pending. This seems to be reasons for withholding the retirement benefits.

5. Learned P.O. for the Respondents submitted that provision pension, G.P.F., G.I.5. as well as leave encashment have been granted.

6. However, gratuity has been withheld and final pension is not fixed in view of pending departmental enquiry.

7. At the request of the learned P.O. for the Respondents one week's time is granted as most last chance to file affidavit-in-reply.

8. S.O. to 18.12.2018.

(A.P. Kurhekar) Member (J)

Sd/-

DATE : <u>(0)(2)(8</u> <u>CORAM</u> Hon bio Shri, A. P. Kurhekar, Member (J)

APPEARANCE Sin Sin BA Bandiard

Advocale for the Applicant

Shri/Srat 12-8: Coi 12000 C C.P.O/P.O. for the Respondent/s Adj./S.O. to 18/12/18

sba

#### Tribunal's orders

Date : 10.12.2018

2

C.A.No.1079 of 2018

D.M. Atre ....Applicant Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 14.01.2019.

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 and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. to 14.01.2019.

8.

sba

Sd/-

(A.P. Kurhekar) Member (J)

DATE : CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE Shrildsmt: M.D. Lowken

Advocale for the Applicant

Shri/Smt.: Aczchana B.K C.P.O/P.O. for the Respondent/s Adj./S.O. to 14/1/19

DATE: 10/12/18

Honble Shri. A. P. Kurhekar, Member (J)

APPEARANCE Shirlent G. M. Sourceure Advocale for the Applicant Shrillsont Me. N.G. Collad C.P.C/P.O. for the Respondent's Adj./S.O. to 14 119. Tribunal's orders

Date : 10.12.2018

S.5. Charankar

M.A.No.580 of 2018 in O.A.No.1060 of 2017

....Applicant

Versus

2

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

1. Heard Shri G.M. Savagave, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 14.01.2019.

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 M.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 and if service report on affidavit is not filed three days before returnable date, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. to 14.01.2019.

Sd/-

(A.P. Kurhekar) Member (J)

8.

Tribunal's orders

Date : 10.12.2018

M.A.No.579 of 2018 in O.A.No.1059 of 2017

S.S. Charankar ....Applicant

Versus

2

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

1. Heard Shri G.M. Savagave, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Issue notice before admission made returnable on 14.01.2019.

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 M.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 and if service report on affidavit is not filed three days before returnable date, M.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

S.O. to 14.01.2019.

8.

sba

(A.P. Kurhekar) Member (J)

Sd/-

10/12

DATE :

CORAM Hon bie Shri, A. P. Kurhekar, Member (J)

Smt G. M. Sella Advocate for the Applicant Shri/Smt.": GPO/P.O. for the Respondent/s Adi:/S.O. to ...

Original Application No. of 2	
•	Applicant/s
(Advocate	)
	versus
The State of	f 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 : 10.12.2018
	O.A.No.807 of 2018 C.V. GhorpadeApplicant
~	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri J.N. Kamble holding for Shri N.P. Dalv
	the learned Advocate for the Applicant and Ms. N.C
DATE 10/12/18	Gohad, the learned Presenting Officer for th
CORAM	Respondents.
Hon'ble Shri. A. P. Kurhekar, Member (J)	2. Today, learned P.O. for the Respondents has file
APFEARANCE Shrilling T.N. Kemble NA	affidavit-in-reply on behalf of the Respondent No.1. It
N. P. Doely1	
Advocate for the Applicant	3. Learned Advocate for the Applicant submitted the
P.O. for the Respondent's.	the matter pertains to Division Bench.
11/19	4. Registrar is directed to verify and place the matter
Peply Biled Og RHO.1. Mil	before the appropriate bench. -
Place the matter before the appropriate	5. S.O. to 3.1.2019.
before the oppropriate	Sd/-
Cer 120	(A.P. Kurhekar)
	sba
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## (G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAL

Original Application No. of 20 DISTRICT (Advocate ......) versus

The State of Maharashtra and others

(Presenting Officer.....)

DATE :

CORAM

Sha Burn M. D.

Shri/Smt A: J.

Advocate for the Applicant

Adj./S.O. to 14/12

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

Health Christ A. P. Kurhekar, Member (J)

C.P.O/P.O. for the Responded t/s

18

Tribunal's orders

Date : 10.12.2018

O.A.No.1074 of 2018 ....Applicant

..... Respondent/s

Versus

D.S. Beloshe

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. The matter is taken up on today's board in view of the circulation granted to the learned Advocate for the Applicant.

3. Learned Advocate for the Applicant sought to correct the title clause of Respondent No.2 as it has inadvertently mentioned as Divisional Commissioner, Nashik Division, Dist. Nashik instead of Divisional Commissioner, Pune as well as Respondent No.3 is to be corrected as Collector, Satara.

4. Leave to amend is granted.

5. Amendment be carried out immediately.

6. S.O. to 14.12.2018.

Sd/-

(A.P. Kurhekar) Member (J)

sba

DATE :

:ORAM

Hon'the State A. P. Kurhekar, Member (J)

Shri Kunt - B.A. Been

Advocate for the Applicant

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

ad

Shri/Smt NS. N.G

Adi./S.O. to

O.A.es

Tribunal's orders

Date : 10.12.2018

2

#### O.A.No.581 of 2018

S.B. Metkar Versus ....Applicant

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

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

2. Today, learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent No.2 along with copy of the minutes of the meeting of Civil Services Board dated 15.11.2018. As per the decision of the Civil Services Board, the request of the Applicant to post him at Nashik has been rejected.

3. In Original Application, directions sought by the Applicant is for transfer at Nashik in view of the Government policy and G.R. dated 9.4.2018. According to the Applicant he has given three options but in the meeting of Civil Services Board dated 15.11.2018, only first two options were considered and third options is not considered.

4. As the reply has already filed long back, Original Applications is admitted and adjourned for final hearing.

5. S.O. to 4.1.2018.

ດ Sd/-

(A.P. Kurhekar) Member (J)

sba

rexclosed

Tribunal's orders

Date : 10.12.2018

#### O.A.No.1013 of 2018

S.A. Patil

2

....Applicant

Versus

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

1. Heard Shri S.A. Patil, Applicant in person and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 14.01.2019.

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 and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 14.01.2019.

Sd/-

(A.P. Kurhekar) Member (J)

sba

DATE: 10112-10 CORAM Houte: Strik A. P. Kurhekar, Member (J)

Advance) a for the Applicant

Shi ...... Me. S. Superaccolusiu

Adj /S.O. to 14

	MUMBAI
Original Application No.	of 20 District
	Applican
(Advocate	)
	versus
The State	of Maharashtra and others
	Responder
(Presenting Officer	) 
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registear's orders	Tribunal's orders
	Date : 10.12.2018
• •	O.A.No.818 of 2018 A.G. RaoApplicant
	Versus
	The State of Maharashtra & OrsResponder
	1. Heard Shri M.R. Patil, the learned Advocate for
	Applicant and Ms. N.G. Gohad, the learned Preser
	Officer for the Respondents.
· · · ·	2. In this Original Application Applicant is see
1	directions to Respondents to release gratuity and all o
DATE: 10/12-118	retirement benefits.
<u>CORAM</u> Honflad Shri, A. P. Kurhekar, Member (J)	3. The Applicant stands retired in 2015 but
	gratuity is not paid and final pension is not fixed.
AP ABANGE M. R. Postil	4. At the request of the learned P.O. for
Action 13 for the Applicant	Respondents, one week's time is granted as a most
SI ALE N. G. Gohad	chance and no further time will be granted.
C.E.O/P.O. for the Respondent/s	5. S.O. to 18.12.2018.
Adj./S.O. to 18/12/18.	Sd/-
(to) und	(A.P. Kurhekar)
· · · · ·	Member (J)
	sba

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(G.C.P.) J 2260 (A) (50,000-2-2015)			Spl MAT-F-2	E.
IN THE MAHARASHTRA	ADMINISTRATIVE	TRIBU	NAL	
	MUMBAI .			

Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate	·····) <sup>`</sup>	
•		
· · · · ·	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 : 10.12.2018 O.A.No.652 of 2017 A.P. Patil Marrus
	Versus The State of Maharashtra & OrsRespondents.
	1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
DATE : <u>10 12-18</u> CORAM Honble Shri, A. P. Kurhekar, Member (J)	2. Today, learned P.O. for the Respondents has filed affidavit-in-reply on behalf of the Respondent Nos. 1 & 2 as well as also filed separate reply on behalf of the Respondent No.3 and 4. Affidavits are taken on record.
APPEARANCE Shiri Smt R.M. Kolgo	3. As the pleadings are completed, the matter is admitted and adjourned for final hearing.
Advocate for the Applicant Shri 75mt. Acrchaba B.K.	4. S.O. to 11.1.2019. Sd/- (A.P. Kurhekar)
Adj./S.Q. to 11/1/19 Peply Gried Ga A. 200. 19/14 152, 8, 4.	Member (J) sba

(G.C.P.) J 2260 (A)	(50,000-2-2015)		!Spl МАТ-F-2 Е
IN THE M	AHARASHTRA	ADMINISTRATIVE	TRIBUNAL
	а. С. А.	MUMBAI	

Original Application No. of 20 DISTRICT (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 : 10.12.2018 O.A.No.399 of 2018	
	P.V. KorpaleApplicant	
	Versus	
	The State of Maharashtra & OrsRespondents.	
	1. Heard Shri M.A. Ingole, the learned Advocate for	
	the Applicant and Shri A.J. Chougule, the learned	
	Presenting Officer for the Respondents.	
DATE 10/12/18	2. At the request of the learned Advocate for the	
COBAM Houtse Shri, A. P. Kurhekar, Member (J)	Applicant, short time is granted to file affidavit-in-reply, if	
House Sull A. F. Kulleke, Alense ()	any.	
APPEARANCE MA Ingole	3. S.O. to 4.1.2019.	
Advocate for the Applicant	Sd/-	
A.J. chougule		
C.P.O.P.O. for the Respondents	(A.P. Kurhekar) Member (J)	
Adj./S.O. to	sba	
the ref		
·		

1 pT r r

Tribunal's orders

Date : 10.12.2018

O.A.No.978 of 2013

....Applicant

P.M. Patil

Versus

2

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

1. Applicant and his Advocate both are absent in first session as well as at 1.30 p.m. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondent Nso.1 to 4 and Shri V.S. Chavan, the learned Advocate for the Respondent No.5.

2. Today, learned Advocate for the Respondent No.5 has filed additional affidavit-in-reply. It is taken on record.

3. This O.A. was initially dismissed by this Tribunal on 23.6.2014. Thereafter, Applicant has filed writ Petition No.11708 of 2014 to challenge the order of this Tribunal which was came to be decided by Hon'ble High Court on 6.8.2018 whereby the matter has been remanded to this Tribunal with directions to dispose of on merit within nine months from the date of production of authenticated copy of judgment and order of Hon'ble High Court.

4. As such, matter needs to be expedited and disposed of in terms of directions of Hon'ble High Court.

5. However, Applicant and his Advocate both are absent.

6. Learned C.P.O. for the Respondents seeks short time to take instructions as the matter pertains to 2012.

7. At the request of the learned C.P.O. for the Respondents, matter is shortly adjourned for final hearing. Be kept on 14.12.2018.

8. S.O. to 14.12.2018.

sba

ی، (A.P. Kurhekar) Member (J)

Sd/-

DATE CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)

ntia. COLSON vell for the Applicant Shri/Sort 149 C.P.O.Q.O. for the Respondent/sup Ha Adj./S.O. to