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

I N

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

O.A. No.515 of 2016

Shri H.H. Khade ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO has tendered copy of order dated 21.6.2016 showing that applicant's transfer/posting is modified. Copy is given to Ld. Advocate for the Applicant.

3. Ld. Advocate for the applicant prays for time to find it whether applicant is satisfied.

4. S.O. to 10.8.2016.

5. Applicant is at liberty to circulate before due date, if occasion arises.

(A.H. Joshi, J.)
Chairman
11.7.2016

(sgj)

DATE : 11/7/16

CORAM :

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

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

APPEARANCE :

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

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

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

Adj. To 10/8/16.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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
	O.A. No. 910 of 2015 Shri D.R. Kshirsagar ..Applicants 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. S.O. to 3.8.2016. Sd/- (A.H. Joshi, J) Chairman 11.7.2016 (sgj)

DATE : 11/7/16

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 3/8/16.

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

I N

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

11.07.2016

O.A No 1082/2015

Dr R.M Joshi ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer holding for Mrs K.S. Gaikwad, learned Presenting Officer for the Respondents.

This Tribunal by order dated 12.4.2016 asked whether the Applicant who has been given temporary posting at Godhegaon, Dist-Pune will be accommodated there on regular transfer. Though three months have passed, no reply is forthcoming from Respondent no. 1.

On the request of Learned C.P.O last chance is given to the Respondents to come with clear reply.

S.O to 18.7.2016. Hamdast.

(Rajiv Agarwal)
Vice-Chairman

Akn

11/7/16
Coram - Hon. Shri Rajiv Agarwal (V/C)
Adv. B.A Bandiwadekar for the appl.
Shri N.K Rajpurohit, C.P.O. for the Resps
S.O. to 18/7/16. Hamdast.

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

I N

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

11/7/16

Coram- Hon. Shri Rajiv Agarwal (V/C)

Adv. A.V. Bandiwadekar for the appl.

Ms. N. G. Ghoad, P.O. for the Resps

Admit.

S.O. to 25/7/16 for final hearing.

11.07.2016

O.A No 555/2016

Shri R.S Devare ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the applicant, Ms Neelima Ghoad, holding for Shri K.B. Bhise, learned Presenting Officer for the Respondents no 1 to 3 and Shri M.D Lonkar, learned advocate for Respondent no. 4.

Affidavit in rejoinder is filed by learned advocate for the Applicant. O.A is admitted. Respondents are at liberty to file sur-rejoinder, if need be.

Place for final hearing on 25.7.2016

(Rajiv Agarwal)
Vice-Chairman

Akn

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.120 OF 2016

DISTRICT : SANGLI

Smt. P.M. Jamadar ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri Sandeep Dere – Advocate for the Applicant

Shri A.J. Chougule – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 11th July, 2016

O R D E R

1. Heard Shri Sandeep Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant pointed out that affidavit filed by the Superintendent of Police, Sangli is in total lack of advertence to the crucial sentence contained in the order dated 30.4.2014 passed in OA No.290 of 2012. The Superintendent of Police Shri Dattatraya Tulshidas Shinde, while signing the affidavit has failed to read following portion:

"The Applicant, therefore, should have been placed above the Respondent No.6 and was eligible to be considered for appointment. We are conscious of the fact that the Respondent No.6 has been working on the establishment of the Respondent No.3 since 2008. He would be 1st in the waiting list, after the Applicant, as per aforesaid GR. We, therefore, direct that the Applicant be given appointment to the post of Sweeper w.e.f. the date of appointment of the Respondent No.6."

(quoted from page 5 of the judgment of this Tribunal delivered in OA No.290 of 2012 at page 18 of the paper book of OA.)

3. The Superintendent of Police is an officer of senior rank in hierarchy.

4. Human error can occur and a reasonable allowance for that purpose can be given.

5. In order to know whether it is human error, S.P. Sangli is given an opportunity to reconsider his stance disclosed in his affidavit. He should state that his stance is based on due consideration of the fact and not a consequence like lack of advertence. He should file affidavit by the next date.

6. Appropriate orders as warranted and circumstances of the case would be passed thereafter.

7. Ld. PO is directed to communicate this order.

8. S.O. to 9.8.2016. Hamdast and steno copy is allowed.

(A.H. Joshi, J.)
Chairman
11.7.2016

Date : 11th July, 2016

Dictation taken by: S.G. Jawalkar.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.677 OF 2016

DISTRICT : PUNE

Shri Nana Sahebrao Parbhane ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Miss S.P. Manchekar – Advocate for the Applicant

Shri A.J. Chougule – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 11th July, 2016

ORDER

1. Heard Miss S.P. Manchekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 31.8.2016.

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

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

case would be taken up for final disposal at the stage of admission hearing.

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

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

7. Heard on the point of interim relief.

8. The Ld. Advocate for the applicant has pointed out that:-

(a) Though the transfer is issued taking recourse to Section 4(4) and 4(5) of The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as the 'Transfer Act'), reasons are not disclosed, nor do those exist.

(b) The applicant was transferred to PWD. Haveli Division No.2 where he joined on 7.6.2013. However, again on 24.6.2014 he was asked to work in PWD Haveli Division No.1 till 7.4.2015. Thus, though he was transferred he has continued to work in Haveli Division No.1 till 7.4.2015. Mostly from said point of view, the Government thought that applicant's transfer is mid-term and hence Section 4(4) and 4(5) of the Transfer Act have been resorted. In the aforesaid premises no reliever is appointed to take charge of the applicant.

(c) Though impugned order is dated 30.5.2016 the applicant continues to hold the charge of Haveli Division No.2.

9. In the premises noted here in foregoing para the applicant has made out a case for grant of interim relief.

10. Therefore, by way of ad-interim relief order relief is granted in terms of prayer clause 11(a) and (b) of OA.

11. Liberty is granted to circulate before due date if occasion arises and reply is filed. On the date of hearing record be produced.

12. S.O. to 31.8.2016. Hamdast and steno copy is allowed to both parties. Ld. PO is directed to communicate this order to the respondents.

(A.H. Joshi, J.)
Chairman
11.7.2016

Date : 11th July, 2016
Dictation taken by: S.G. Jawalkar.
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THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.S3S OF 2016

DISTRICT : NASHIK

R.C. Barhe **.... Applicant.**

Versus

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

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

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

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 11.07.2016.

ORDER

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. Shri N.K. Rajpurohit for the Respondents states as follows :-

Communication is received from Respondent No.3 and he has asked for four weeks time for filing affidavit-in-reply.

3. Respondent No.3, the Deputy Director, Health Services, Nashik Circle, Nashik is directed to file his own affidavit on the following points :-

(a) Whether the applicant's case was submitted in the past before Competent Authority to take review as regards to continuation or revocation of suspension ?

(b) Who is that Competent Authority before whom the applicant's case was submitted ?

(c) In case the proposal was not submitted or its submission was delayed the reasons thereto ?

(d) Which is the Authority / Committee who will now be considering the applicant's case for revocation of suspension or otherwise.

(e) What are the reasons due to which Applicant's suspension is continued for long period ?

4. Affidavit for the foregoing points be filed within two weeks. Copy of Affidavit be also serve upon learned Advocate for the Applicant.

5. Apart from the affidavit on above points, Respondent No.3 shall be free to file his own affidavit answering each and every point, paragraph and averment agitated in the O.A.. if O.A. is to be contested.

6 Steno copy and Hamdast is allowed to learned C.P.O..

7. Learned C.P.O. is directed to communicate this order to the Respondents.

8. S.O. to 25.07.2016.

(A.H. Joshi, J.)
Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.984 OF 2015
WITH
ORIGINAL APPLICATION NO.1021 OF 2015

DISTRICT : PUNE

S.A. Sarwade (O.A.984/2015)
G.B. Shinde (O.A.1021/2015) **.... Applicants.**

Versus

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

Shri B.A. Bandiwadekar, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 11.07.2016.

ORDER

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

2. Learned Advocate Shri B.A. Bandiwadekar for the Applicants states as follows :-

   (a) Leave to amend is prayed for adding Collector, Pune as Respondent No.3 is prayed for and to make necessary averments in relation to such amendment etc..

   (b) He undertakes to carry out amendment, if leave is granted within three days.

3. Leave to amend as prayed is granted.

4. If amendment is not carried out within 3 days, O.A. shall stand dismissed without referring the case to the Tribunal.

5. If amendment is carried out and served on the Collector, Pune forthwith, then the Collector, Pune shall make a statement on the next date as to the time frame within which he shall make decision.

6. It does not mean that the Collector, Pune can ask for time at leisure, rather it would be appreciated if the decision is taken till next date.

7. If amendment is carried out, S.O. to 12.08.2016.

8. Steno copy and Hamdast is allowed to learned P.O..

9. Learned P.O. is directed to communicate this order to the Respondents.

Sd/-

(A.H. Joshi, J.)
Chairman

ork

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

DATE : 11/7/16
CORAM :
Hon'ble [illegible] Joshi (Chairman)
Hon'ble [illegible] (Member) A.
AP[illegible]
Shri [illegible] : Appl. in Person.
Advocate for Applicant
Shri [illegible] K.S. Gaikwad
C.P.O. for the Respondents

Adj. To 28/7/16.
steno copy & Hamdast allowed to ld. P.O.

Date : 11.07.2016.

O.A.No.902 of 2015

N.G. Kondhalkar .... **Applicant.**

Versus

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

1. Heard Applicant in person and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Shri D.B. Khaire, the learned Advocate for the Applicant is absent.

3. Learned P.O. Smt. K.S. Gaikwad for the Respondents states that affidavit is received from Respondent No.3. However, after discussion with the Law Officer it has transpired that affidavit requires to be redrafted and prays for time for filing affidavit of Respondent No.3.

4. Learned P.O. Smt. K.S. Gaikwad further states that para-wise remarks are received from Respondents No.1 and 2.

5. Learned P.O. for the Respondents prays for two weeks time.

6. For filing reply, time is granted by way of last chance.

7. Steno copy and Hamdast is allowed to learned P.O.

8. Learned P.O. is directed to communicate this order for the Respondents.

9. S.O. to 28.07.2016.

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

prk

Original Application No. of 20 ....

..... Applicant/s

(Advocate .....)

versus

The State of Maharasntra 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 : 11/7/16 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~ Hon'ble Shri R. B. MALIK (Member) APPEARANCE : Shri/~~Smt~~ S. S. Dere Advocate for the Applicant ~~Shri/Smt~~ Mrs. N. G. Gohad ~~C.P.O~~/P.O. for the Respondents ~~Adj to~~ 25/7/16. Handest.	**Date : 11.07.2016.** **O.A.No.418 of 2016** **Shri Swati S. Shinde ..... Applicant** **V/s.** **The State of Maha. & Ors. ..... Respondents** Heard Shri. S.S. Dere, the learned Advocate for the Applicant and Ms.N.G. Gohad, the learned Presenting Officer for the Respondents. I have perused my own order on 24.06.2016 on the request of the learned P.O. Last chance is granted for the first Respondent to do the needful. Two weeks' time is granted. S.O. to 25.07.2016. Hamdast. Sd/- **(R.B.Malik)** **Member (J)** **11.07.2016** nmn

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

Date : 11.07.2016.

O.A.No.551 of 2016

Shri. C.S. Gaikwad ..... Applicant

V/s.

The State of Maha. & Ors. ..... Respondents

1. Heard Shri. C.T.Chandratre, the learned Advocate for the Applicant and Ms.N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 18.07.2016.

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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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.

7. 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.

6. S.O. to 18.07.2016.

Sd/-

(R.B.Malik)

DATE : 11/7/16

CORAM :

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

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

APPEARANCE :

~~Shri~~ Shri C.T. Chandratre

Advocate for the Applicant

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

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

~~A.O.~~ S.O. to 18/7/16.

MUMBAI

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

I N

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

11.07.2016

O.A No 622/2016

Shri K.B Jagtap ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the applicant, Ms Neelima Ghoad, holding for Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Affidavit in reply has been filed. Learned Advocate Shri Bandiwadekar stated that he does not wish to file rejoinder.

O.A is admitted. Place for final hearing on 12.7.2016

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE : 11/7/16

CORAM :

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

Hon'ble Shri ~~M. Ramesh Kumar (Member) A~~ Rajiv Agarwal V/C

APPEARANCE :

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : N.G. Ghoad

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

Admit.

Adj. To 12/7/16.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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
DATE: 11/7/16 CORAM: Hon' Joshi (Chairman) H~~(Member) A~~ A S: B.A. Bandiwadekar A Sh: A.J. Chougule C.P.O Adj. To 2/8/16	O.A. No.185 of 2016 Shri M.P. Sonawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Ld. PO has tendered copy of order showing that applicant's appeal is decided. 3. Copy is given to the Ld. Advocate for the applicant. Shri Bandiwadekar, Ld. Advocate prays for two weeks time for the manner in which he would proceed. 4. S.O. to.2.8.2016. (A.H. Joshi,J) Chairman 11.7.2016 (sgj)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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
DATE : 11/7/16 CORAM : Hon'ble Shri A.H. Joshi (Chairman) Hon'ble Shri ~~Rajiv Agarwal (Member) A~~ Shri P.S. Pathak Advocate for the Applicant Shri Archana B.K. C.P.O. for the Respondent/s Adj. To 22/7/16.	O.A. No.52 of 2016 Shri S.V. Varunjikar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri P.S. Pathak, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Ld. PO is directed to keep entire file in which applicant's case was earlier put up for review of suspension and present file, if any. 3. Similarly, the senior officer who is involved in this matter and would be required to take a decision if available, should remain present on the next date. 4. S.O. to 22.7.2016. Sd/- (A.H. Joshi, J.) Chairman 11.7.2016 (sgj)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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
DATE : 11/7/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri A.H. Joshi (Member) A~~ APPEARANCE: Shri/Smt. B.A. Bandiwadekar Advocate for the Applicant Shri/Smt. A.J. Chougule C.P.O / P.O. for the Respondent/s Adj. To 22/7/16.	M.A. No.74/2016 in O.A. No.166/2016 Shri A.S. Garware ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Ld. PO states that para wise comments are received and a week's time is required for filing reply. 3. S.O. to 22.7.2016. (A.H. Joshi, J.) Chairman 11.7.2016 (sgj)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

O.A. No.354 of 2016

Shri T.A. Jankar & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. PO states that time is required for taking decision in the matter of posting of various employees in Thane and Palghar District.

3. Collector, Thane as well as Collector, Palghar are directed to file affidavit stating the steps required to be followed and the time frame for the purpose of reaching final conclusion as regards issuing orders for allocation/absorption of the Government servants.

4. Affidavit be filed within two weeks. Ld. PO is directed to communicate this order to respondent no.3 as well as respondent no.4.

5. S.O. to 26.7.2016. Steno copy and hamdast allowed.

Sd/-
(A.H. Joshi, J.)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Member) A
C.T. Chandratre
Advocate for the Applicant
A.J. Chougule
C.P.O. for the Respondent/s

Adj. To 26/7/16. steno copy & Hamdast allowed.

BE

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

~~O.A. No.165 of 2016~~

Smt. R.S. Patil ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the Applicant tenders rejoinder. It is taken on record.

3. On perusal of affidavit filed by Shri D.N. Jadhav, Tahsildar, for and on behalf of Collector, it prima facie reveals that affidavit is filed in most casual and irresponsible manner. Crucial paras have been replied with a pleading of "no knowledge".

4. Ld. PO states that officer concerned would appear personally and offer explanation in this regard.

5. In view of this statement adjourned to 21.7.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble ~~Shri~~ (Member)A

B A Bandiwadekar
Advocate for Applicant

N. G. Gohad
C.G.S.C. for the Respondent/s

Adj. To 21/7/16.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

M.A. No.85/2016 in O.A. No.198/2016

Shri C.S. Vyavahare ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. PO states that affidavit in reply is received and she would like to verify whether the contents are in order and prays for time.

3. Time granted.

4. S.O. to 26.8.2016.

(A.H. Joshi, J)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble ~~Member~~ (Member) A
Appearance:
Shri B.A. Bandiwadekar
Advocate for the Applicant
Shri K.S. Gaikwad
C.P.O. for the Respondent/s

Adj. To 26/8/16.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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
	O.A. No.41 of 2016 Shri S.B. Sawant ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents. 2. Ld. PO tenders affidavit in reply. It is taken on record. 3. Admit. To come up for hearing in due course. Liberty to circulate in 2017. Sd/- (A.H. Joshi, J.) Chairman 11.7.2016 (sgj)

DATE: 11/7/16

(Chairman)

— K.R. Jagdale

— N.G. Gohad

Admit.

Adj. To come up for hearing in due course Liberty to circulate in 2017.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

O.A. No.103 of 2016

Shri M.B. Pawar ..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 para wise comments are received from respondent no.1 and affidavit would be filed within four weeks.

3. Though four weeks time is prayed for, longer time is granted for filing reply. No further time will be granted.

4. S.O. to 31.8.2016.

Sd/-
(A.H. Joshi, J.)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesh kumar (Member) A~~
APPEARANCE:
Shri/Smt. : time for the appl.
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 31/8/16

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

O.A. No.373 of 2016

Shri S.B. Pawar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri R.S. Kavle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Action to be taken in this case is to wait for a clarification to be received from the Finance Department which was sought by the respondent no.2's office from the Finance Department. In view of this, Ld. PO prays for four weeks time.

3. Though four weeks time is prayed for, longer time is granted for filing reply. No further time will be granted.

4. Ld. Advocate for applicant undertakes to file affidavit of service.

5. S.O. to 31.8.2016.

Sd/-
(A.H. Joshi, J)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Shri A.H. Joshi (Chairman)
[illegible] (Member)A
R.S. Kavle
K.S. Gaikwad
C.P. for the Respondent/s
Adj. To 31/8/16.

(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 : 11/7/16 CORAM : Hon'ble (Chairman) Hon'ble ~~Member) A~~ AD: SO: R.M. Kolge A: SO: A.J. Chougule CAV: Adj. To 11/8/16.	**Date : 11.07.2016.** **O.A.No.552 of 2016** **G.R. Gujrathi .... Applicant.** **Versus** **The State of Maharashtra & Ors ....Respondents.** 1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents. 2. Learned P.O. Shri A.J. Chougule for the Respondents has tendered the copy of communication received from the office of Directorate of Medical Services to the Deputy Director, Health Services, Thane. Copy thereof is also furnished to learned Advocate Shri R.M. Kolge. 3. Learned Advocate for the Applicant prays for time to consider as to whether the Applicant is satisfied with the action taken by the Respondents. 4. In view of the foregoing, adjourned to 11.08.2016. (A.H. Joshi, J.) **Chairman** prk

(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 : 11.07.2016.

O.A.No.338 of 2016

A.D. Borade .... Applicant.

Versus

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

1. Heard Shri P.B. Gole, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Learned Advocate wants to ascertain whether Respondent No.3 is correctly described.

3. In view of the foregoing, adjourned to 22.07.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 11/7/16
COR :
Hon'ble (Chairman)
Hon'ble Member) A
AP :
Shri P.B. Gole .....
Adv.
Shri Archana B.K. .....
C.P.O.

Adj. To 22/7/16.

[P.T.O.

..... 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 : 11/7/16 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~ Hon'ble Shri R. B. MALIK (Member) APPEARANCE : ~~Shri/Smt.~~ K. R. Jagdale Advocate for the Applicant ~~Shri/Smt.~~ A. B. Kololgi ~~C.P.O.~~/P.O. for the Respondents ~~Adj. To:~~ OA is disposed of.	**Date : 11.07.2016.** **O.A.No.460 of 2016** **Mr. C.S. Dhotre ..... Applicant** **V/s.** **The State of Maha. & Ors. ..... Respondents** Heard Shri. K.R.Jagdale, the learned Advocate for the Applicant. Shri Jagdale submits the communication from the Applicant. Taken on record. O.A. is allowed to be withdrawn & as such is disposed of for want of prosecution. No order as to cost. Hamdast. sd/- **(R.B.Malik)** **Member (J)** **11.07.2016** **nmn**

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 : 11/7/16 CORAM : Hon'ble [illegible] (Chairman) Hon'ble [illegible] (Member) A AP : Shri S.P. Manchekar Advocate Shri K.B. Bhise C.P.O. Adj. To 22/7/16.	**Date : 11.07.2016.** **C.A.No.41 of 2016 in O.A.No.1225 of 2010** **S.C. Gupta .... Applicant.** **Versus** **The State of Maharashtra & Ors ....Respondents.** 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned P.O. Shri K.B. Bhise for the Respondents states as follows :- Order is complied with, however, time may be granted for tendering apology for delay in compliance. 3. In view of the foregoing, adjourned to 22.07.2016. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

(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 : 11/7/16 CORAM : Hon'ble (Chairman) Hon'ble Member) A AP: Sh. B.A. Bandiwadekar AP: Sh. K.S. Gaikwad C.P.: Adj. To 7/11/16 with liberty to both the sides to circulate before due date, if occasion arises BE	**Date : 11.07.2016.** **C.A.No.102 of 2015 in O.A.No.838 of 2011** **S.P. Kanthe .... Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** 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. Learned P.O. Shri K.B. B Smt. K.S. Gaikwad for the Respondents states as follows :- Order passed in O.A.No.838 of 2011 is carried before the Hon'ble High Court and Writ Petition No.1129 of 2016 is scheduled to come up for admission hearing on 25.07.2016. 3. In view of the statement of learned P.O. hearing of this C.A. is adjourned to 07.11.2016, with liberty to both the sides to circulate before due date, if occasion arises. Sd/- (A.H. Joshi, J.) Chairman prk

[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 : 11/7/16 CO[illegible] Hon' [illegible] (Chairman) Hon [illegible] mber) A AP[illegible] Sh[illegible] R.M. Kolge ..... Ad[illegible] Sh[illegible] K.S. Gaikwad ..... C.P[illegible] Adj. To 25/7/16.	**Date : 11.07.2016.** **C.A.No.63 of 2015 in O.A.No.511 of 2012** **M.P. Magar & Ors. .... Applicants.** **Versus** **The State of Maharashtra & Ors ....Respondents.** 1. Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for a week's time to verify whether due compliance is done and made a statement on the next date. 3. S.O. to 25.07.2016 (A.H. Joshi, J.) Chairman prk

[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI

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

I N

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
DATE: 11/7/16 (Chairman) Hone for the appl. K.S. Gaikwad 31/8/16. Hle	O.As. No.105 & 106 of 2016 Shri R.K. Potle Shri S.K. Patil ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents None for the Applicants. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Ld. PO states that para wise comments are received and further time of two weeks is required for filing reply. 3. Though two weeks time is prayed for, longer time is granted for filing reply. No further time will be granted. 4. S.O. to 31.8.2016. Sd/- (A.H. Joshi, J.) Chairman 11.7.2016 (sgj)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

O.As. No.363 to 372 & 374 to 377 of 2016

Shri T.T. Bankar & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri R.S. Kavle, learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. PO states that there are other OAs and efforts are being taken to file reply in all the cases and prays for four weeks time.

3. Though four weeks time is prayed for, longer time is granted for filing reply. No further time will be granted.

4. Ld. Advocate for applicant undertakes to file affidavit of service.

5. S.O. to 31.8.2016.

(A.H. Joshi, J.)
Chairman
11.7.2016

(sgj)

DATE: 11/7/16
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramakrishnan (Member) A
Applicant(s):
Shri/Smt.: R.S. Kavle
Advocate for the Applicant
Shri/Smt.: N.G. Gohad
C.P.O / P.O. for the respondent/s

Adj. To 31/8/16.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

CONTEMPT APPLICATION NO.48 OF 2015
IN
ORIGINAL APPLICATION NO.917 OF 2014
(O.A.NO.897 OF 2011 AURANGABAD)

DISTRICT : DHULE

S.A. Borse .... **Applicant.**

Versus

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

None for the Applicant.

Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 11.07.2016.

O R D E R

1. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Applicant and Advocate Shri S.U. Chaudhari, both are absent.

3. Learned P.O. Shri K.B. Bhise for the Respondents has tendered order dated 05.07.2016, showing that the compliance is done to the effect that applicant is granted deemed date.

4. On perusal of the order tendered, it reveals that the Respondent No.3 seems to be convinced that the order passed in O.A. cannot be complied with, however only because of the "pressure of the Hon'ble Tribunal" which he had perceived, he has passed the said order.

5. Perusal of the order passed in O.A. reveals that there is no ambiguity relating to applicant's eligibility. Moreover the said order is passed in O.A. is not challenged, and it has attained finality.

6. In the aforesaid background it is not open for Contemnor to use the typed language employed in the order issued by the Respondent No.3. The said text is *perse,* and on the face of it a Contempt.

7. At this stage, learned P.O. for the Respondents prays for time for speaking to Respondents No.2 and 3. The O.A. was kept back.

8. Later on C.A. was called out. Learned P.O. for the Respondents appeared and stated that Respondents No.2 and 3 shall personally appear on the next date and either express their point of view or take suitable steps.

9. In view of the request of learned P.O., hearing is adjourned to 22.07.2016.

10. Steno copy and Hamdast is allowed to learned P.O..

11. Learned P.O. is directed to communicate this order to the Respondents.

(A.H. Joshi, J.)
Chairman

prk