3

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

MAs No.167 and 168 of 2016 in OA No.135 of 2015

The State of Maharashtra & Ors. ..Applicants

Vs.

Smt. Mangala A. Kanoje ..Respondent

Heard Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Applicant-original Respondents. None for the Respondent-original Applicant.

2. MA No.167 of 2016 for condonation of delay has been filed in MA No.168 of 2016 seeking extension of time for implementation of the order dated 7.1.2016 of this Tribunal in OA No.135 of 2015. On perusal of the said order it is seen that the order was passed on the basis of affidavit in reply filed by the State Govt. wherein it was admitted that punishment could not be imposed on a retired Govt. servant without approval of the Govt. in starting a DE. Respondent no.1 has also undertaken to set aside the order passed respondent no.2 which was found lacking for the legal authority. All these facts are mentioned in the aforesaid order. The respondent no.1 has also given an undertaking that necessary action will be taken within four weeks. In fact there is no direction from this Tribunal fixing any time limit. It is not understood as to how this present MA for extension of time is maintainable when this Tribunal has never fixed any time limit to implement the aforesaid order. The undertaking was given by respondent no.1.

3. MA No.167 of 2016 for condonation of delay as well as MA No.168 of 2016 for extension of time to implement the order of this Tribunal are dismissed as having no merit.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.4.2016

(sgj)

DATE: 12/4/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ N.K. Rajpurohit
C.P.O.
~~Advocate~~ for the Applicant

Shri ~~Smt.~~ J.M. Kamble
~~C.P.O. / P.O.~~ for the Respondents
Advs.

~~Adj~~ M.As are dismissed.

(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.30 of 2016

Shri D.E. Shinde ..Applicant
Versus
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 and Smt. Punam Mahajan, learned Advocate for Respondent No.2.

2. Smt. Mahajan, Ld. Advocate for Respondent No.2 stated that there is some urgency in the matter and therefore she mentioned this matter. This matter was already kept for final hearing on 7.6.2016 and reply is to be filed before that date. Interim relief has been granted in favour of the Applicant. Smt. Mahajan, Ld. Advocate requested that the matter may be kept for reply of respondent no.1 on 2.5.2016 so that if possible final decision may be taken before vacation starts. This she is requesting because if the OA is ultimately decided in favour of the applicant, the respondent no.2 may get an opportunity for another posting during ensuing general transfer. S.O. to 2.5.2016.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.4.2016

(sgj)

DATE:
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. [illegible] (Member)~~
APPEARANCE:
Shri A.V. Bandiwadekar
~~Advocate for Applicant~~
~~Shri~~ Smt. K.S. Gaikwad
~~C.P.O.~~ for the Respondents No. 1
Punam Mahajan for
~~Adv. for Resp. No. 2~~
S.O. to 2/5/16.

3

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

M.A. No.172 of 2016 in O.A. No.242 of 2015

SDO, Baramati & Ors. ..Applicants

Vs.

Shri V.D. Kulkarni & Ors. ..Respondents

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

2. This MA is presented by the applicants-original respondents seeking extension of time to comply with the interim order made by Single Bench presided over by one of us [Shri R.B. Malik, Member (J)] on 10.2.2016. The respondents-original applicants are represented by their advocate Shri Bandiwadekar.

3. Now, perusal of the record shows that the Tribunal was not quite approving of the manner in which the State went about complying with its order and ultimately keeping the OA pending directions were given by order dated 5.1.2016 read with order dated 12.1.2016 effectively directing that even as the efforts may continue to settle the matter of all similarly placed employees but in case of the present applicants compliance must be made within three months. It is that time limit for which extension is hereby sought. Shri Bandiwadekar, Ld. Advocate has made his submissions indicating inter alia that he has no objection if the extension is granted provided the respondents were to act with due dispatch. As the matter came to be debated at the bar it came about that the direction as hereinbelow needs to be given so that the State gets time and at the same time the respondents-original applicants are not compelled to wait indefinitely. This MA is disposed off with a direction that the compliance with the interim order be made by 28.6.2016 and in case the compliance is not made without any further directions or orders the OA itself will be heard finally on 30.6.2016. No order as to costs.

Hamdast.

Sd/-
(R.B. Malik)
Member (J)
12.4.2016

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.4.2016

(sgj)

DATE: 12/4/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ N.K. Rajpurohit
CPO
~~Advocate~~ for the Applicant

~~Shri/Smt.~~ A.V. Bandiwadekar
~~C.P.O./P.O.~~ for the Respondents
Adv.

~~Adj to~~ M.A. is disposed of.
O.A. Adj. to 30/6/16.

(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.126 of 2015

Shri S.P. Jadhav ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

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

2. Rejoinder is filed by the applicant. Admit. Ld. PO, on instructions from Shri R.V. Shinde, Sr. Clerk, Govt. Photozinco Press, Pune, states that she does not wish to file sur-rejoinder. Place the above matter for final hearing on 22.4.2016.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.4.2016

(sgj)

DATE: 12/4/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ V.V. Joshi
Advocate for the Applicant
~~Shri/Smt.~~ K.S. Gaikwad
~~C.P.O.~~ / P.O. for the Respondents

~~Adj. To:~~ O.A. as Admit
S.O. to 22/4/16.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.1082 of 2015

Dr. R.M. Joshi ..Applicant
Versus
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. As directed by this Tribunal the Civil Surgeon, Pune Dr. S.A. Deshmukh is present. He states that applicant is given posting as directed by the Tribunal ~~which was implemented by the State~~.

3. Shri Bandiwadekar, Ld. Advocate states that the applicant has been without posting from 13.10.2015 to 10.4.2016. As there was no fault on the part of the applicant, who was transferred without his request,on the request made by some imposter on his behalf, this period should be treated as duty period. The applicant should make suitable representation to the appropriate authority. Ld. PO, on instructions from Dr. S.A. Deshmukh, Civil Surgeon, Pune, states that the competent authority in this matter is Principal Secretary, Public Health Department. The applicant will make representation within eight days which may be decided by the Principal Secretary, who is respondent no.1 in the present case within a further period of one month. S.O. to 7.6.2016. Hamdast.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.4.2016

(sgj)

DATE: 12/4/16
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.S. Gaikwad
~~C.P.O.~~/P.O. for the Respondents

~~Adj. To:~~ S.O. to 7/6/16.
Hamdast.

(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: 12/4/16 CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: ~~Shri/Smt.~~ : Ms. S.P. Manchekar Advocate for the Applicant ~~Shri~~ /Smt. : K.S. Gaikwad ~~C.P.O.~~/P.O. for the Respondents Rejoinder filed by Appli. ~~Adj. To~~ O.A. is Admit. F.H. to 3/5/16. F.H.	O.A. No.776 of 2015 Shri P.G. Sondkar ..Applicant Versus 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. Rejoinder is filed by the applicant. Admit. Miss Manchekar, Ld. Advocate states that applicant has retired. He has not been paid pensionary dues. Ld. PO, on instructions from Shri D.P. Godane, DMER, Mumbai, states that pension case of the applicant will be sent to the Accountant General within eight days. Place the above matter for final hearing on 3.5.2016. Sd/- (Rajiv Agarwal) Vice-Chairman 12.4.2016 (sgj)

3

(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 : 12/4/16 CORAM : Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. P. MALIK (Member) APPEARANCE : Shri/Smt. A.A. Desai Advocate for the Applicant Shri/Smt. N.K. Rajpurohit C.P.O./P.O. for the Respondents Adj. to S.O. to 20/4/16.	**M.A.144/2016 in R.A.8/2016 in O.A.289/2015 & 620/2015** Heard Shri A.A. Desai, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents. Mentioned by the learned Advocate for the Applicant. Heard. The oral request to implead the 2 Respondents to this MA who have been shown parties to the R.A. be impleaded to this M.A. by a suitable amendment to be carried forthwith. The Applicant to serve the Respondents and the matter remains adjourned to 20th April, 2016. Sd/- Sd/- (R.B. Malik) Member (J) 12.04.2016 (Rajiv Agarwal) Vice-Chairman 12.04.2016 (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
DATE : 12/4/16 CORAM : ~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~ Hon'ble Shri R.B. Malik (Member) ~~A~~ J APPEARANCE : Shri/Smt. : J.N. Kamble ld. adv. holding G. Sadavarte Advocate for the Applicant Shri/Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s Admit. Adj. To..... Liberty to mention is granted.	**Date : 12.04.2016** **O.A.No.13 of 2016** **Shri Ramesh Yadavrao Sonale ...Applicant** **Vs.** **The Inspector General of Registration and Stamp Controller & Ors. ...Respondents** 1. Heard Shri J.N. Kamble, the learned Advocate holding for Shri G. Sadavarte, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant Shri J.N. Kamble makes a statement that the affidavit-in-rejoinder is not to be filed. Admit. Liberty to mention is granted. Sd/- **(R.B. Malik)** **Member(J)** sba

[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 : 12.04.2016

O.A.No.283 of 2016

Shri Nagnath Dnyandeo Kahire ...Applicant
Vs.
The State of Maharashtra & Ors. ...Respondents

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Presenting Officer for the Respondents Smt. K.S. Gaikwad seeks an adjournment to file affidavit-in-reply.

3. I have perused the record and proceedings. It seems that it may be possible to _____ ~~the~~ finally dispose of this O.A, on next date

4. Last chance is granted for filing affidavit-in-reply. It is made clear that the Tribunal may take up the case for final disposal on the next date regardless of whether reply is filed or not.

5. S.O. to 2.05.2016.

Sd/-

(R.B. Malik)
Member(J) 12.4.16

sba

DATE : 12/4/16
CORAM :
~~V.A. Joshi (Chairman)~~
R.B. Malik (Member)~~A~~ J
Punam Mahajan
K.S. Gaikwad.....
Adj. To 2/5/16.

[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 : 12.04.2016

M.A.No.174 of 2016 in O.A.No.324 of 2016

Mr. Ashok Nana Ghuge & Ors. ...Applicant
Vs.
The State of Maharashtra & Ors. ...Respondents

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Considering the facts. The application to sue jointly is granted subject to the payment of court fees if not already paid.

3. Misc. Application stands disposed off with no order as to costs.

Sd/-

(R.B. Malik)
Member(J)

12.4.16

sba

DATE : 12/4/16
CORAM :
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
Hon'ble Shri ~~R. Kanchelkumar (Member) A~~ R.B. Malik (Member) J
APPEARANCE :
Shri/Smt. K.R. Jagdale
Advocate for the Applicant
Shri/Smt. N.K. Rajpurohit
C.P.O. / P.O. for the Respondent/s

~~Adj. To~~ MA stands disposed off with no order as to costs.

[P.T.O.

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

Date : 12.04.2016

O.A.No.324 of 2016

Mr. Ashok Nana Ghuge & Ors. ...Applicant

Vs.

The State of Maharashtra & Ors. ...Respondents

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. The matter is taken up for consideration of interim-relief and as of today no interim-relief is granted.

3. Issue notice returnable on 2.05.2016.

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

5. Applicant is authorised 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.

6. 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.

8. Learned C.P.O. for the Respondents do waives service.

9. S.O. to 02.05.2016.

Sd/-

(R.B. Malik) 12.4.16
Member(J)

sba

DATE : 12/4/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member)(A) (J)
APPEARANCE :
Shri/Smt. K.R. Jagdale
Advocate for the Applicant
Shri/Smt. N.K. Rajpurohit
C.P.O. for the Respondent/s

Adj. To 2/5/2016.