(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 : 12/7/17

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ S.S. Dere

Advocate for the Applicant

Shri/Smt. : K.S. Gaikwad

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

~~Adj. To~~ S.O. to 9/8/17.

O.A.599/2017

Mr. C.S. Patil ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. S.S. Dere, the learned Advocate for the Applicant and Mrs. K.S. Gaikwad, the learned Presenting Officer for Respondents.

The learned PO is being instructed by Mr. Arvind Choudhari, P.I. in the office of S.P, Kolhapur.

Hearing the rival submissions, I direct that, in the event the Respondents, some of them or any of them, ultimately decide to effect recovery from the Applicant, the said order of recovery shall not be given actual effect for a period of four weeks from the date of such decision, so as to enable the Applicant to move the Tribunal in that regard. The learned PO makes a statement on instructions that no recovery order has so far been served on the Applicant. With this interim relief, the matter stands adjourned to 9th August, 2017.

Sd/-

(R.B. Malik) 12.7.17
Member (J)
12.07.2017

(skw)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.1188 OF 2016

Shri Vinodkumar Ramjas Tak ..Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri K.R. Jagdale – Advocate for the Applicant

Shri N.K. Rajpurohit – Chief Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

Shri Rajiv Agarwal, Vice-Chairman

DATE : 12th July, 2017

ORDER

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

2. After hearing for considerable time what has transpired is as follows.

3. The affidavit in reply filed on behalf of the respondents is affirmed by Shri Mahendra Namdeo Rokhade, Assistant Commissioner of Police, Greater Mumbai. The applicant's claim in brief is that he was appointed by order dated 26.3.2013 in a vacancy which had occurred on account of retirement of applicant's mother, who was working as a Sweeper, in

furtherance to implementation of the Government policy to implement Lad-Page Committee recommendations.

4. According to the applicant:

(a) He was appointed furtherance to the appointment order which unequivocally mentions that he was appointed in a vacancy which was unreserved and which had occurred on account of retirement of Smt. Shantabai Ramjas Valkimi.

(b) The caste scrutiny committee in its decision dated 7.5.2016 recorded a finding that applicant had proved that he belongs to Valmiki caste. However, the applicant's claim that his caste falls in Scheduled Caste, as recognized in Maharashtra, is rejected.

(c) Therefore, the termination of services of the applicant by impugned order dated 14.7.2016 is contrary to terms of appointment and contrary to law.

5. The applicant had made averments covering the points referred to hereinabove in para 6.8 of the OA.

6. In reply to para 6.8 the respondents have admitted that applicant was appointed in legal heir's category yet it is maintained that the termination order is legal and proper. Thus, it is evident that the reply is drafted recklessly, casually and without keeping in mind due sense of responsibility.

7. In the aforesaid background that the affidavit in reply by the respondents is filed recklessly and without application of mind and Ld. CPO has blindly adopted the para wise remarks, it shall be proper to direct the Commissioner of Police, Mumbai is directed to file his own affidavit stating as to whether he approves and subscribes to the action taken by the respondent no.2.

8. The affidavit be filed on or before 21.7.2017.

9. In the event the Commissioner of Police, Mumbai finds that the action taken by the respondent no.2 and sought to be justified through affidavit of Assistant Commissioner of Police is not tenable, he shall be free to withdraw the order and in that event it shall not be necessary to file affidavit in reply.

10. S.O. to 21.7.2017. Steno copy and hamdast is allowed. Ld. CPO is directed to communicate this order to the respondents.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.7.2017

Sd/-
(A.H. Joshi, J.)
Chairman
12.7.2017

Dictation taken by: S.G. Jawalkar.

D:\JAWALKAR\Judgements\2017\7 July 2017\OA.1188.16.J.7.2017-VRTak-SO..doc

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

CONTEMPT APPLICATION NO.19 OF 2017
IN
ORIGINAL APPLICATION NO.637 OF 2016

R.B. Bhosale **....Applicant.**

Versus

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

Shri M.D. Lonkar, the learned Advocate for the Applicant.

Smt. Archana B.K., the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman
Shri Rajiv Agarwal, Vice-Chairman

DATE : 12.07.2017.

PER : Justice Shri A.H. Joshi, Chairman

O R D E R

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. We reject the affidavit-in-reply filed by the Additional Director General of Police, Shri Rajkumar M. Vatkar, as it is filed unmindfully. We direct that the affidavit of page 13, onwards be stuck off and be kept in second part.

3. We, prima facie, find that the Additional Director General of Police who had replied notice, given by Applicant (copy whereof is on record of Contempt Petition at page 7) to the Respondent No.2, was not at all serious about the matter and has routinely signed the reply to notice as well as the affidavit-in-reply, as if he was replying any other ordinary matter.

4. One does not know as to whether the matter of Contempt i.e. notice as well as Contempt Application was even brought to the notice of the Contemnor No.2.

5. Therefore, before taking cognizance, it is considered necessary to direct the Respondent No.2 to file his own affidavit on following points :-

(a) Date when the notice dated 31.11.2016, Exhibit R-2, page, 7, Contempt was received in his officer.

(b) Date when the notice was brought to his notice.

(c) What endorsement was made by him on the notice ?.

(d) If notice was not brought to his notice the reason due to which this failure has occurred.

(e) Was reply filed in present Contempt Petition approved by the Contemnor No.2.

(f) In case the notice / letter/ order and application for Contempt was not brought to the notice of the Contemnor, what steps and measures would he take to ensure that any Contempt notice or case in which Director General of Police is made party is brought to his notice and is punctually attended to.

6. Respondent No.2's own affidavit as mentioned in the foregoing paragraph be filed on or before next date.

7. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondent No.2.

8. S.O. to 20.07.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

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

DATE : 12/7/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~V. Ravichandran (Member)A~~ Rajiv Agarwal (VC)

APPEARANCE :
Shri/Smt. : A.V. Bandiwadekar
Advocate for the Applicant
~~Shri~~/Smt. : Archana B.K.
C.P.O / P.O. for the Respondent/s

Adj. To 27/7/2017.

Date : 12.07.2017.

O.A.No.229 of 2017

S.A. Upadhye **....Applicant.**

Versus

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

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

2. Smt. Archana B.K., the learned Presenting Officer for the Respondents prays for two week's time for filing reply. When learned P.O. was asked to explain the reasons leading to delay in filing reply. Learned P.O. states that no specific reasons are communicated by the office of Maharashtra Public Service Commission.

3. Time can be granted only on payment of costs of Rs.10,000/- as condition precedent for grant of time.

4. Two week's time is granted subject to payment of costs of Rs.10,000/-.

5. S.O. to 27.07.2017.

6. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.

Sd/- Sd/-

(Rajiv Agarwal) **(A.H. Joshi J.)**
Vice-Chairman **Chairman**

prk

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

DATE : 12/7/2017
CORAM :
Hon'ble Shri Rajiv Agarwal (Vice-Chairman)

— C.T. Chandratre Ld. Adv. holding for Adv. A.D. Aghav for appl. (O.A.271/16)
— Dipti Nikhade holding for Adv. D.V. Sutar for appl. (O.A.534/17)
2-6-7-2017

Date : 12.07.2017.

O.A.No.271 of 2017 with O.A.No.534 of 2017

M.R. Deshmukh (O.A.No.271/2017)

S.P. Ingale (O.A.No.534/2017)

....Applicants.

Versus

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

1. Heard Shri C.T. Chandratre, the learned Advocate holding for Shri A.D. Aghav, the learned Advocate for the Applicant in O.A.No.271 of 2017, Ms. Dipti Nikhade, the learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant in O.A.No.534/2017 and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents states that two week's time be granted for filing affidavit required to be filed, furtherance to the order passed by this Tribunal on 07.07.2017.

3. Time as prayed is granted.

4. S.O. to 26.07.2017.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi J.)
Vice-Chairman Chairman

prk

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

Date : 12.07.2017.

O.A.No.304 of 2017

Dr. K.R. Patil **....Applicant.**

Versus

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

1. Heard Shri U.R. Mankapure, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Shri U.R. Mankapure, the learned Advocate for the Applicant prays for leave to add annexure and for that purpose carry out necessary amendment.

3. Leave to amend and add annexure is granted.

4. Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents prays for four week's time to file affidavit-in-reply.

5. In the background that already more than two months time has been awaited by the Respondents, and hence grant of longer time is considered to be totally unjust.

6. By way of last chance, a week's time is granted.

7. S.O. to 21.07.2017.

Sd/- Sd/-

(Rajiv Agarwal) **(A.H. Joshi J.)**
Vice-Chairman **Chairman**

prk

DATE : 12/7/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (V/C)
APPEARANCE :
Shri/Smt. : U.R. Mankapure
Advocate for the Applicant
Shri/Smt. : S. Suryawanshi
C.P.O. / P.O. for the Respondent/s
Adj. To 21/7/2017.

(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.350 of 2017

Shri B.A. Bandkar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Miss Savita Suryawanshi., learned Presenting Officer for the Respondents.

2. Ld. PO states that the affidavit duly affirmed is received and she wants time to consider whether it is proper and prays for two weeks time to file proper reply.

3. In view of request of Ld. PO, S.O. to 2.8.2017.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi, J.)
Vice-Chairman Chairman
12.7.2017 12.7.2017

(sgj)

DATE: 12/7/2017
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Member) A
APPEARANCE:
Shri/Smt. K.R. Jagdale
Advocate for the Applicant
Shri/Smt. S. Suryawanshi
C.P.O / P.O. for the Respondent/s

Adj. To 2/8/2017.

(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
	C.A. No.34 of 2017 in O.A. No.1053 of 2016 Shri K.A. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri K.A. Shinde, Applicant in person and Shri K.B. Bhise, learned Presenting Officer for the Respondents. 2. Party in person states that he does not wish to pursue the application for action for contempt. 3. Even otherwise we see no reason to continue with the CA. 4. CA is, therefore, disposed. Sd/- Sd/- (Rajiv Agarwal) (A.H. Joshi, J.) Vice-Chairman Chairman 12.7.2017 12.7.2017 (sgj)

DATE: 12/7/2017

CORAM:

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

Hon'ble Shri Rajiv Agarwal (Member)A/C

APPEARANCE:

Shri/Smt. K.A. Shinde appl. in person

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To. CA is therefore disposed of.

(CCP) 3 2260B) 50,000 2-2015) (Spl. MAT-F-2 5

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 : 12/7/2017

CORAM :

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

Hon'ble Shri Rajiv Agarwal (Vice-Chairman)

APPEARANCE :

Shri/Smt. : Dr. G. Sadavarte

Advocate for the Applicant

Shri/Smt. : K.S. Gaikwad

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

Adj. To 14/2/2017.

Date : 12.07.2017.

O.A.No.627 of 2017

S.B. Kare & Ors. ....Applicants.

Versus

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

1. Heard Dr. G. Sadavarte, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Adjourned to 14.07.2017.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi)
Vice-Chairman Chairman

prk

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 12/7/17 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri ~~M. ... (Member) A~~ Rajiv Agarwal V/C APPEARANCE : Shri/~~Smt.~~ Dr. G. Sadavarte Advocate for the Applicant ~~Shri~~/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To M.A is allowed.	**Date : 12.07.2017.** **M.A.No.290 of 2017 in O.A.No.627 of 2017** **S.B. Kare & Ors. ....Applicants.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Dr. G. Sadavarte, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid. 5. M.A. is allowed. Sd/- Sd/- **(Rajiv Agarwal)** **(A.H. Joshi, J.)** **Vice-Chairman** **Chairman** prk

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

Date : 12.07.2017.

O.A.No.524 of 2017

R.D. Pawar & Ors. **....Applicants.**

Versus

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

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants, Shri K.B. Bhise, the learned Presenting Officer for the Respondents and Shri N.P. Dalvi, the learned Advocate for the Respondent No.1.

2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents states as follows :-

(a) Respondents No.1 and 2 needs four week's time to file affidavit-in-reply.

(b) For completing steps prior to appointments, two months time is needed.

3. Shri A.V. Bandiwadekar, the learned Advocate for the Applicants states that let the appointments be withheld till next date.

4. In view that two months time is needed by Government for appointments, question of interim relief can be considered on next date.

5. Reply by Respondents No.1 and 2 be filed on or before 16.08.2017.

6. Returnable date of service on added Respondents is extended to 29.08.2017.

7. Applicant shall cause service on added respondents before due date.

8. S.O. to 29.08.2017.

9. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi)
Vice-Chairman Chairman

DATE : 12/7/17
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Vice-Chairman) RAV

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 29/8/2017.
Steno copy & Hamdast is allowed to Ld. P.O.

(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.331 of 2017

Shri B.J. Bagul ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Shri Kolge, Ld. Advocate for applicant has later on appeared and he states that he was on legs before other bench and, therefore, he could not remain present to state that service is already done and report would be filed during course of the day.

3. He prays for restoration.

4. In view of submission of Ld. Advocate for the Applicant, OA is restored.

5. S.O. to 6.9.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.7.2017

Sd/-
(A.H. Joshi, J.)
Chairman
12.7.2017

(sgj)

DATE: 12/7/2017
CORAM:
Hon'ble Justice Shri A.H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (V/C)
APPEARANCE:
Shri/Smt.: R.M. Kolge
Advocate for the Applicant
Shri/Smt.: A.J. Chougule
C.P.O / P.O. for the Respondent/s
Adj. To 6/9/2017.

(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.331 of 2017

Shri B.J. Bagul ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. In view that service report is not filed, OA is dismissed for want of prosecution.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi,
Vice-Chairman Chairman
12.7.2017 12.7.2017

(sgj)

DATE : 12/7/2017

CORAM :

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

Hon'ble Shri ~~M. Kanthikumar (Member)~~ Rajiv Agarwal (V/C)

APPEARANCE :

Shri/Smt. : R.M. Kolge

Advocate for the Applicant

Shri/Smt. : A.J. Chougule

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

~~Adj. To~~ OA is dismissed for want of prosecution.

(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.218 of 2015

Shri C.G. Gaikwad ..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. PO states on instructions from Smt. Ratna Praba Bhalerao, Senior Lecturer and B.M. Kamthe, Junior Clerk that by completing every possible steps and taking all measures, amount payable to the applicant would be made within one week.

3. Hence, S.O. to 20.7.2017.

Sd/-

(A.H. Joshi, J)
Chairman
12.7.2017

(sgj)

DATE: 12/7/17

CORAM:

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

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

APPEARANCE:

Shri/Smt.: B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt.: N.G. Gohad

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

Adj. To 20/7/2017.

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 : 12/7/2017

CORAM :

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

~~Hon'ble Shri~~ Rajiv Agarwal (Vice-Chairman) A

APPEARANCE :

~~Shri/Smt.~~ : Punam Mahajan

Advocate for the Applicant (O.A. 916/16

Shri/Smt. : M.D. Lonkar adv.

C.~~P.O./P.O.~~ for the Respondent/s (O.A. 1099/16)

~~Adj. To~~ Shri N.K. Rajpurohit C.P.O. for Rpts.

Adj to 20/7/2017.

Date : 12.07.2017.

O.A.No.916 of 2016 with O.A.No.1099 of 2016 with M.A.No.292 of 2017 in O.A.No.916 of 2016 & O.A.No.1099 of 2016

M.B. Patil & Ors. (O.A.No.916/2016)

J.S. Phad & Ors. (O.A.No.1099/2016)

....Applicants.

Versus

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants in O.A.No.916/2016, Shri M.D. Lonkar, the learned Advocate for the Applicants in O.A.No.1099/2016 and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Smt. Punam Mahajan, the learned Advocate for the Applicants prays for time to respond and requests to adjourn the hearing to 20.07.2017.

3. In view of the foregoing, adjourned to 20.07.2017.

Sd/- Sd/-

(Rajiv Agarwal) Vice-Chairman

(A.H. Joshi J.) Chairman

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders C.A. No.80 of 2016 in O.A. No.517 of 2015

Shri R.B. More ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Smt. Mahajan, Ld. Advocate states that applicant who is present wants to conduct the case himself and he has instructed her to withdraw the power and prays for discharging her appearance.

3. Vakalatnama of Advocate Smt. Punam Mahajan is discharged.

DATE: 12/7/2017
CORAM:
Hon'ble Justice Shri A.H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (V.C.)/A
APPEARANCE:
Shri/Smt.: punam Mahajan
Advocate for the Applicant
Shri/Smt.: H.G. Gohad
C.P.O. for the Respondent/s
Adj. To: 20/7/2017.

4. In so far as contempt by respondents no.1 and 3 is concerned, they have not filed any affidavit of explanation or apology. These respondents even did not reply the notice issued by the advocate proposing/cautioning to file contempt case.

5. Hence, we take cognizance and issue process.

6. At this stage Ld. PO prays for time to take instructions and make submissions, if any, and that only thereafter appropriate order may be passed.

7. S.O. to 20.7.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman
12.7.2017

Sd/-
(A.H. Joshi, J.)
Chairman
12.7.2017

(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

O.A.633/2017

Mr. G.N. Londhe ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

I have perused the record and proceedings and heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

At this stage, even as it will not be necessary or proper to make any detailed comments, but one aspect of the matter needs to be carefully borne in mind. The representation of the Applicant of 12th June, 2017 (Annexure 83, Page 58 of the PB) is still pending consideration. The Applicant is set to retire on 30th June, 2018, and therefore, under Section 5(1)(a) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Transfer Act), in my opinion, there is a fairly good arguable case for him, not to be transferred as yet although the final decisions will have to await the filing of the Affidavit-in-reply and other requirements. My attention is invited by Mrs. Mahajan to my own order in OA 451/2017 (Dr. S.D. Wathore Vs. State of Maharashtra, dated 6.6.2017). The order herein impugned is hereby stayed till the date next to the filing of the Affidavit-in-reply. In case, the Applicant has already been relieved, he be reposted to the post he has been transferred from within a period of five working days from today.

Issue notice returnable on 05.08.2017.

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

[P.T.O.

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

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 05th August, 2017. Hamdast.

Sd/-

(R.B. Malik)
Member (J)
12.07.2017

DATE : 12/7/17

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ : Pranali Mahajan

Advocate for the Applicant

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

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

(skw)

Adj. To 5/8/17.

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

O.A.379/2017

Mr. A.D. Dalvi ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for Respondents.

Mr. Bandiwadekar, the learned Advocate for the Applicant informs that during the course of the day, he shall file the Affidavit-in-rejoinder. Upon this statement having been made and relying thereupon, the OA is admitted and appointed for final hearing to 7th August, 2017. Sur-rejoinder, if any, must be filed on that day and not thereafter.

Nil

Sd/-

(R.B. Malik) 12.7.17
Member (J)
12.07.2017

(skw)

DATE: 12/7/17

CORAM:

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

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

APPEARANCE:

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

Advocate for the Applicant

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

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

Rejoinder filed by Applicant.

~~Adj. To.....~~

O.A. is admitted.

S.O. to 7/8/17

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

O.A.628/2017

Mr. V.D. Shriram ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. J.N. Kamble, the learned Advocate for the Applicant, Mr. A.J. Chougule, the learned Presenting Officer for Respondents 1 to 3 and Mr. Gaikwad, the learned Advocate for Respondent No.4.

Mr. Kamble, the learned Advocate for the Applicant insists on passing immediate order of stay. It appears that the Applicant has been transferred and his successor is the 4th Respondent. The appointment of 4th Respondent is challenged at the time of arguments but in the Prayer Clause, there is no such challenge. As far as the personal reasons of the Applicant is concerned, as of today, keeping the right of the Applicant reserved for seeking interim relief on the next date. I direct notice to issue made returnable on 27th July, 2017.

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. 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 27th July, 2017.

Sd/-

(R.B. Malik) 12.7.17
Member (J)
12.07.2017

(skw)

DATE: 12/7/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri J.N. Kamble
Advocate for Applicant
Shri A.J. Chougule
C.P.O./P.O. for the Respondents 1 to 3
A.S. Gaikwad for R.4.
Adj. To.....
S.O. to 27/7/17.

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 : 12/7/17

CORAM :

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

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

APPEARANCE :

Shri/Smt. R.M. Kolge

Advocate for the Applicant

Shri/Smt. A.J. Chougale

C.P.O. for the Respondents

All T.O. O.A. is disposed of

O.A.601/2017

Mr. P.D. Yadav ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. R.M. Kolge, the learned Advocate for the Applicant and Mr. A.J. Chougule, the learned Presenting Officer for Respondents.

This OA basically for deemed date of promotion can be finally disposed of at this stage itself in the manner hereinbelow indicated.

A very detailed statement of facts is not necessary. The Applicant suffered an order of conviction and sentence from the Court of first instance. The appeal is pending in the Hon'ble High Court and by an order dated 18.2.2005, there is a stay granted to the order of conviction and sentence. Now, the issue remains with regard to the promotion. The Applicant complains that, other colleagues of his, whose cases are much weaker foundation has been granted promotion but the Applicant is still kept languishing. He has made a representation on 23rd December, 2016 and as an alternative prayer, he is asking for decision thereof witin the time bound manner. In my opinion, this OA can be disposed of with necessary direction in that behalf.

The Respondent No.2 is hereby directed to finally decide the representation of the Applicant dated 23.12.2016 within a period of six weeks from today and communicate its outcome to the Applicant within a period of one week thereafter. It is made clear that all rights and contentions are open to the Applicant to be taken, in case he remains aggrieved by the order of the Respondent No.2 in accordance herewith. It is specifically made clear that no decision has been rendered hereby on Prayer Clause (a) and (b). The O.A. is accordingly disposed of in these terms with no order as to costs.

Sd/-

(R.B. Malik) 12.7.17
Member (J)
12.07.2017

(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

O.A.495/2017

Mr. A.M. Malge ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Mrs. K.S. Gaikwad holdinig for Mrs. A.B. Kololgi, the learned Presenting Officer for Respondents.

The learned PO is being instructed by Mr. Sachin Patil, the Law Officer.

The Respondents agreed to furnish the copies of the order dated 7.7.2017 rejecting the representation of the Applicant and the minutes of the meeting, if any, during the course of the day. The OA stands adjourned to 19th July, 2017.

Sd/-
(R.B. Malik) 12.7.17
Member (J)
12.07.2017

(skw)

DATE : 12/7/17
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
holding for A.B. Kololgi
Adj. To 19/7/17.

[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.629/2017~~

Mr. A.H. Dhande ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. J.N. Kamble, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for Respondents.

Issue notice made returnable on 27th July, 2017.

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. 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 27th July, 2017.

Sd/-
(R.B. Malik) 12.7.17
Member (J)
12.07.2017

DATE: 12/7/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice Chairman)~~
~~Hon'ble Shri R.B. MALIK (Member)~~
Shri/Smt. J. N. Kamble
Advocate for the Applicant
Shri/Smt. N.K. Rajpurohit
~~C.P.O~~/P.O. for the Respondents
~~Adj. To~~ S.O. to 27/7/17.

(skw)

[P.T.O.

(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 : 12/7/17

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ M. D. Lonkar

Advocate for the Applicant

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

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

~~Adj. To~~ S.O. to 9/8/17.

O.A.638/2017

Mr. S.B. Ambapkar ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

Heard Mr. M.D. Lonkar, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for Respondents.

Issue notice made returnable on 9th August, 2017.

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. 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 9th August, 2017.

Sd/-

(R.B. Malik) 12.7.17

Member (J)

12.07.2017

(skw)

(G.C.P.) J 2200(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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

DATE : 12/7/17

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.~~ Ms. N.G. Gohad

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

~~A.P. To.~~ S.O. to 24/7/17.

O.A.630/2017

Mr. P.B. Chavan ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

Heard Mr. S.S. Dere, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 24.07.2017.

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. 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 24th July, 2017. Liberty is reserved for the Applicant to seek interim relief on the next date.

Sd/-

(R.B. Malik)

Member (J) 12.7.17

12.07.2017

(skw)

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

O.A.631/2017

Mr. S.P. Kumavat ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. S.S. Dere, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 24.07.2017.

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. 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 24th July, 2017. Liberty is reserved for the Applicant to seek interim relief on the next date.

Sd/-
(R.B. Malik)
Member (J)
12.07.2017

12.7.17

(skw)

DATE : 12/7/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
~~Advocate~~ for the Applicant S.S. Dere
~~Advocate~~ for the Applicant Ms. N.G. Gohad
~~C.P.O.~~ for the Respondents
S.O. to 24/7/17.

[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

..... Applitant/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.230/2017

Mr. T.R. Phavade ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. Suryawanshi holding for Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

The Affidavit-in-rejoinder is taken on record. The OA is admitted and appointed for final hearing to 3rd August, 2017.

Sur-rejoinder, if any, must be filed on that day and not thereafter.

Sd/-
(R.B. Malik)
Member (J)
12.07.2017

DATE: 12/7/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
~~Shri/Smt.~~ A.V. Bandiwadekar (skw)
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
~~C.P.O./~~P.O. for the Respondents
Rejoinder filed by Applicant.
~~Adj. To~~ O.A. is admitted.
S.O. to 3/8/17.

1c 12-7-17

[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 : 12/7/17 CORAM : ~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~ Hon'ble Shri R. B. MALIK (Member) J APPEARANCE : ~~Shri/Smt.~~ A.V. Bandiwadekar Advocate for the Applicant ~~Shri/Smt.~~ Ms. S. Suryawanshi ~~A.P.O~~ for the Respondents holding for A.B. Kololgi. 17/7/17	**O.A.300/2017** **Mr. B.M. Kamble ... Applicant** **Vs.** **The State of Mah. & Ors. ... Respondents** Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. Suryawanshi holding for Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents. The learned PO is being instructed by Mr. A.W. Sathe, Senior Clerk, Visapur Prison, A'nagar. On instructions from the said Officer, the learned PO informs that within two days, the Applicant shall get his dues. On that statement, the OA stands adjourned to 17th July, 2017. Sd/- (R.B. Malik) Member (J) 12.07.2017 (skw)

9

(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.376/2017

Mr. S.D. Todankar ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant, Ms. S. Suryawanshi holding for Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for Respondent No. 1 and Mr. D.B. Khaire, holding for Mr. Adsule, the learned Advocate for the Respondent No.2.

Mr. Bandiwadekar, the learned Advocate for the Applicant informs that during the course of the day, he shall file the Affidavit-in-rejoinder. Upon this statement having been made and relying thereupon, the OA is admitted and appointed for final hearing to 4th August, 2017. Sur-rejoinder, if any, must be filed on that day and not thereafter.

Sd/-

(R.B. Malik)
Member (J)
12.07.2017

12.7.17

DATE: 12/7/17

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ A.V. Bandiwadeka (skw)

Advocate for the Applicant

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

~~C.P.O.~~ for the Respondents holding for N.K. Rajpurohit.

D.B. Khaire holding for Mr. Adsule for R. No. 2.

S.O. to 7/8/17.

O.A. as admitted.

FH

Cuf

[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.635/2017

Mr. S.S. Shivade ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. K.B. Bhise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 18.07.2017.

Mr. Bhise, the learned PO seeks adjournment to file Affidavit-in-reply. I direct the Respondents that they must file the Affidavit-in-reply on the next date. A very long date in this behalf is simply out of question. As far as Annexure 'A-1' (Page 15 Condition No.5) is concerned, the Respondents shall fairly and squarely deal therewith to justify the transfer of the Applicant out of District, regardless of whatever, he may have stated in his representation for cancellation of transfer. Liberty is reserved for the Applicant to renew his request for interim relief and if the Affidavit-in-reply as just now directed is not filed or even if it is filed, the limited order may be considered to be made.

Issue notice returnable on 18.07.2017.

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. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

[P.T.O.

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

DATE : 12/7/17

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ : Punam Mahajan

Advocate for the Applicant

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

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

~~Adj. To~~ : S.O. to 18/7/17.

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

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 18th July, 2017. Hamdast.

Sd/-
(R.B. Malik)
Member (J)
12.07.2017

(skw)