(G.C.P.) J 2959(B) (50,000-3-2017) [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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's o	orders
	Date :	13.08.2019 M.A.No.431 of 2 019	in O.A.No.778 of 2019
	Versus	itte & Ors. 5 ate of Maharashtra & 8	Ors Respondents
			ire, learned Advocate for th Inchekar, learned C.P.O. for th
	reasor is grar	. The Applicants are an asstated in the M.A., le	licants are seeking leave to g similarly situated and for the eave to sue jointly as prayed f plicants paying requisite courts
	3. prk	M.A. is disposed off a Sd/- (A.P. Kurhekar) Member(J)	ccordingly. Sd/- (P. N. Dixit) Vice-Chairman

, ,	O.A.No.628 of 2019 with 3 \$ connected O.As B. J. Tejankar & OrsApplicants
,	B. J. Tejankar & OrsApplicants
,	
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri D. B. Khaire, Smt. Punam Mahajan, Shri A. V. Bandiwadekar, Shri M.D. Lonkar, Shri S. B. Gaikwad and Shri S.D. Sarode, learned Counsels for the Applicants. Smt. Archana B.K., Smt. Kranti Gaikwad, Ms N. G. Gohad, Shri S.D. Dole, learned Presenting Officers for the Respondent No.1 in all O.A.s, Shri S. Lahane, learned Counsel for Respondent No.2 in O.A.Nos.640, 641, 646 & 649/2019, Shri K.R. Jagdale, learned Counsel for the Respondent No.2 in O.A.637/2019 and Dr. Jayshree Patil holding for Dr. G. Sadavarte, learned Counsel for Respondent No.2 in O.A.633/2019.
	2. In all these 39 Original Applications, the Applicants
	have challenged the transfer orders. In all these matters,
	interim relief is granted staying the implementation of
	transfer orders.
	3. Learned P.O. for the Respondents submits except
	few matters in majority of Original Applications, the original
	Applicants have made representations to the Government
	giving their option for transfer and those are under
	consideration of the Government. She, therefore, submits γ
	that after the decision on their representations, it is likely
	that their grievance may not survive and there will be no
	need of filing reply on merit. She therefore submits to
	adjourn the matters for reasonable time.
	4. In Original Applications were the Applicants have
	not made representations, they are free to make
	representation to the Government alike other Applicants so
	that it could be decided on its own merit.
	5. In view of above, two weeks time is granted to
	learned P.O. to take remedial measures and to pass
	appropriate orders.
	6. \$. O. to 29.08.2019.
	Sd/-
	(A [.] P. Kurhekar) Member(J)

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

Tribunal's orders Date : 13.08.2019.

O.A.No.674 of 2019

S. G. NawaleApplicant Versus The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Preeti Wankhade, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicant is working as Talathi in Buldhana District and seeking inter division transfer in terms of G.R. dated 03.06.2011. The Applicant had made representation dated 04.08.2018 to the Government but the same is not responded and therefore, the Applicant has filed the present O.A.

3. Learned P.O. has pointed out that recently by G.R. dated 15.05.2019, powers have been delegated to S.D.O. for inter division transfer pertaining to Talathi. She, therefore, submits that if representation is made to the Collector, it will be dealt with in accordance to rules.

4. In view of above, learned Counsel for the Applicant submits that O.A. be disposed of with suitable directions and the Applicant will again make fresh representation to Respondent No.2.

5. For the aforesaid reasons, O.A. is disposed of with liberty to Applicant to make representation to Respondent No.2 for inter division transfer in terms of G.R. dated 15.05.2019.

6. The Applicant shall make proper representation within two weeks from today.

7. The Respondent No.2 is directed to decide the representation to be received from the Applicant and shall pass appropriate order within three months from the date of receipt of the representation.

8. It is pointed out by the learned Counsel for the Applicant that Respondent No.2 i.e. Collector, Nashik has already given No Objection Certificate dated 22.01.2019 and he is ready to accommodate the Applicant in his district. Therefore, it would not be necessary to again ask for fresh NOC.

9. No order as to costs.

10. Hamdast granted.

Sd/-

(A.P. Kurhekar) Member(J)

 $\mathbf{2}$

Spl- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./E.A./C.A. No. (f 20)

ΙN

Origanal Application No. of 20

FARAD CONTINUATION SHEET No.

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

Date : 13.08.2019.

O.A.No.336 of 2018 with M.A. No.617 of 2018

R. D. Akrupe

....Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Shri S. K. Nair, learned Special Counsel for the Respondent Nos.1 and 2 and Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.3.

2. Today, learned Counsel for the Respondent No.3 has filed Affidavit-in-Reply to the amended application. It is taken on record.

3. S.O. to 27.08.2019.

Sd/-

(A.P. Kurhekar) Member(J)

G C. C. J. 2959(B) (50.000--3-2017) ISpl. MAT-F-2 E IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

of 20

.....

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

I N

if 20

Original Application No.

FARAD CONTINUATION SHEET No.

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

Date : 13.08.2019.

O.A.No.278 of 2019

B. B. Rathod

....Applicant

Versus

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

Heard Shri B. A. Bandiwadekar, learned Counsel for 1. the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.

2. The Respondent No.1 has filed Affidavit-in-Reply long back but the Respondent No.2 to 4 have not filed reply though enough time is granted.

Learned Counsel for the Applicant submits that 3. reply on behalf of Respondent Nos.2 to 4 is relevant.

On the request of learned P.O. for the Respondents, 4. one week's time is lastly granted to file the reply on behalf of Respondent Nos.2 to 4. If reply is not filed within a week, the matter will be taken up for hearing at the stage of admission. S.

S.O. to 21.08.2019.

Sd/-

(A.P. Kurhekar) Member(J)

G.C.2 J. 2959(B) (50.000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./E.A./C.A. No.

ΙN

of 20

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Date : 13.08.2019.

O.A.No.643 of 2019

V. R. Rajput

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed on behalf of the Respondent No.2 and the same is adopted on behalf of the Respondent No.1. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 03.09.2019.

Sd/-

(A.P. Kurhekar) Member(J)

${ m G} | { m C} | { m P} = -2.2959({ m B}) (50.000 - 3.2017)$ (Spl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

....

- - - - - - - - -

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

ΙN

of 20

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal'	s orders
	Date :	13.08.2019.	
	O.A.No.580 of 2019		
	D. S. ShindeApplicant	Applicant	
	Versus		
	The Sta	ite of Maharashtra &	OrsRespondents.
	1. Applica the Res	Heard Smt. Punam N nt and Shri S. D. Dole pondents.	Nahajan, learned Counsel for the e, learned Presenting Officer for
	2.	Today, learned P.O.	for the Respondents has filed
	reply o		ondent No.2 and the same is
			spondent No.1. It is taken on
	3.	The matter is adjour	ned for hearing at the stage of
	admissio		
	4.	S .O. to 0 3.09.2019.	
			Sd/-
	vsm		(A.P. Kurhekar) Member(J)
	1		

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

1

Tribunal's orders

Date : 13.08.2019.

O. A. No.777 of 2019

B. K. Vane

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 27.08.2019.

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

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

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

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

7. In case notice is not collected within three days or service report on affidavit is not filed **3** days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 27.08.2019.

Sd/-

(A.P. Kurhekar) Member(J)

GC 2 2959(B) (50,000–3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

ΙN

Original Application No.

FARAD CONTINUATION SHEET No.

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

Date: 13.08.2019.

M.A. No.51 of 2019 in O.A.No.112 of 2019 With M.A.No.61 of 2019 in O.A.No.126 of 2019

S. B. Chumbalkar & Anr.

....Applicants

Versus

İ

The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Prachi Hendre holding for Shri V. V. Joshi, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Today learned Counsel for the Applicants has filed Affidavit-in-Rejoinder. It is taken on record.

3. \$.0. to 17.09.2019.

Sd/-

(A.P. Kurhekar) Member(J)

ISPL- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAJ

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

ΙN

Original Application No.

of 20

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 : 13.08.2019.
	M.A. No.214 of 2019 in O.A.No.403 of 2019 With
	M.A.No.215 of 2019 in O.A.No.404 of 2019
	S. D. Metkari & AnrApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
	 Heard Smt. Prachi Hendre holding for Shri V. V. Joshi, learned Counsel for the Applicants and Smt. Archana B. K. learned Presenting Officer for the Respondents.
	2. Today, learned P.O. for the Respondents has filed
	Affidavit-In-Reply to Misc. Applications. It is taken on record.
	3. S.O. to 17.09.2019.
	Sd/-
	(A.P. Kurhekar) Member(J)

[Spl.- MAT-F-2 E.

I.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

L

ΙN

Original Application No.

of 20

Office Nates, Office Memoranda of Coram, Appehrance, Tribunal's orders or directions and Registrar's arders	Tribunal's orders	
	Date : 13.08.2019	
	O.A.No.317 of 2019	
	N.G. Nalawade Applicant	
	Versus The State of Maharashtra & Ors Respondents	
	1. Heard Shri M.B. Kadam, learned Advocate for the	
	Applicant and Ms. N.G. Gohad, learned P.O. for the	
	Respondents.	
	2. At the request of learned P.O. Ms. N.G. Gohad,	
	Adjourned to 16.08.2019.	
	Sd/-	
	(P.N. Dixit) Vice-Chairman	
	prk .	

. .

[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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 13.08.2019
	O.A.No.430 of 2019
	M.D. Surve Applicant
	Versus The State of Maharashtra & Ors Respondents
	1. Heard Shri U.V. Bhosle, learned Advocate for th
	Applicant and Ms. N.G. Gohad, learned P.O. for th
	Respondents.
	2. Learned Advocate Shri U.V. Bhosle for the Applican
	files rejoinder. The same is taken on record.
	3. At the request of learned Advocate Shri U.V. Bhosle
	Adjourned to 22.08.2019.
	Sd/-
	(P.N. Dixit) Vice-Chairman
	prk
	p x

[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

Office Noies, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	D-1- 10 00 0010	
	Date : 13.08.2019	
	O.A.No.568 of 2019	
	A.D. Sawant Applicant	
	Versus	
	The State of Maharashtra & Ors Respondents	
	1. Heard Shri M.D. Lonkar, learned Advocate for the	
;	Applicant and Ms. N.G. Gohad, learned P.O. holding for	
	Smt. Archana B.K., learned P.O. for the Respondents.	
	2. At the request of learned P.O. Ms. N.G. Gohad for	
;		
1	the Respondents adjourned to 28.08.2019.	
	Sd/-	
:		
	(P.N. Dixit)	
	Vice-Chairman	
	prk	
:		

(G.C.P.) **J** 1726(B) (20,000-10-2013)

·····

(Spl.- MAT-F-2 E.

.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

.

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

s.

of 20

I N

Original Application No.

of 20

Office Notes, Office Memorenda of Coram. Appearence, Tribunal's orders or directions, and Registrar's orders	Tribunal's orders	
	<u>M.A. No.373 of</u>	2016 in O.A. No.901 of 2016
	D.A. Shirodkar & Anr. And	Interveners
	R.S. Patil Vs.	Applicant
	The State of Maharasht	ra & OrsRespondents
	Interveners, Shri M.D	Bandiwadekar, learned Advocate t Lonkar, learned Advocate for t K.S. Gaikwad, learned Presenti lents.
	2. This MA is filed is completed expedition	d by the interveners to ensure that I usly.
	3. The interveners MA is disposed off acc	have no locus standi and therefore ordingly.
	Sd/-	Sd/-
	(A.P. Kurhekar) Member (J) 13.8.2019	
	(sgj)	
•		

(G.C.P.) J 1726(B) (20,000-10-2013)

1

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./RA./C.A. No.

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	ance, Tribunal's orders				
•	<u>O.A. No.780 of 2</u>	<u>019</u>			
	A.M. Samindar Vs.	Applicant			
	The State of Maharashtra & Ors.	Respondents			
	Heard Smt. Punam Mahajan the Applicant and Ms. S.P. Man Presenting Officer for the Responden	chekar, learned Chief			
	2. This is an OA in which the applicant apprehension that he may be superseded. In view of same he has submitted his representation on 14.6.2 (Exhibit A-13 page 73 of OA).				
	3. The respondents are directed to consider representation and take decision on the same as per m While taking decision the paras 6.21, 6.22.1 to 6.22.5 o should be taken into account. OA disposed off according				
	Sd/-	Sd/- +			
	Member (J) Vice-O	2.N. Dixit) Chairman (A) 13.8.2019			
	÷				
,					

(G.C.P.) J 2959(B) (50,0003-2017) IN THE MAHARASHTRA A N	ADMINISTRATIVE IUMBAI	[Spl MAT-F-2 F
M.A./R.A./C.A. No.	of 20	
IN		
Original Application No.	of 20	
FARAD CONT	INUATION SHEE	T No.
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribuna!	s orders
	Date : 13.08.2019	
		19 in R.A.No.9 of 2019 in 5.913 of 2018
	The State of Maharashtra	& Ors.
	Versus	Applicant(Org. Res
	A.R. Patil	Respondents (Org. A
	1. Heard Smt. Archa Applicants (Org. Responder	na B.K., learned P.O. for hts).
	2. This M.A. is for rest	oring Review Application.
	3. For the reasons stat	ed therein, M.A. is allowed.
	Sd/-	Sd/-
	(A.P. Kurhekar) Member(J) prk	(P.N. Dixit) Vice-Chairman

|Spl. MAT-F-2 E.

(G.C.P.) J 1726(B) (20,000-10-2013) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI •

....

.....

Ì

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

of 20

1 N Original Application No.

___**I__**_

.

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		
	<u>O.A. No.901 of 2016</u>		
		Applicant	
	Vs. The State of Maharashtra & Ors.	Respondents	
	Heard Shri M.D. Lonkar, learned A Applicant and Smt. K.S. Gaikwad, lear Officer for the Respondents.		
	2. According to the Ld. Advocate for the applicant retired in April, 2017. Prior to he 21.3.2016 a chargesheet was issued to him in him. Today during hearing the Ld. Adapplicant submits that directions may be issued to DE expeditiously and he would coor respondents in completing the same.	is retirement on the DE agains dvocate for the ued to complete	
	3. Ld. PO submits that as per directions this Tribunal the respondents would be co complete the enquiry within a period of six n	mmunicating t	
	4. As this is a old matter, we direct the ensure that the DE is completed expedible beyond a period of six months. With thes OA is disposed off.	tiously and no	
	Sd/- Sc	I/- 	
	(A.P. Kurhekar) (P.NI Dix Member (J) Vice-Chairma 13.8.2019 13.8.20 (sgj)	ın (A)	

1

App	otes, Office Memoranda of Coram. earance, Tribunal's orders or ctions and Registrar's orders	Tribunal'	s orders
		Date : 13.08.2019	
	·	O.A.No.77 (Subject : Ser	
		S.N. Gitte & Ors. Versus The State of Maharashtra & O	Applicants
			rs Respondents
		1. Heard Shri D.B. Khaire	e, learned Advocate for the
		Applicants and Ms. S.P. Mancl Respondents.	hekar, learned C.P.O. for the
		2. Applicants have made	e prayers 10(c) and 10(d),
		which reads as follows :-	
		the Respondent ta inclu the provisianal Seniarit Grade-II published an 1 placement ta the App and above seriol No.: seniority list. (d) This Han'ble Tr the Respondent to inclu the Select List prepared the cadre af S.D.E. p thereby include the na Select List belaw serio	ribunal be pleased ta direct ide the name af Appliconts in y List af Assistant Engineers, 4.06.2019 and thereby grant licants belaw serial Na.109 110 in the said pravisianal ribunal be pleased to direct ide the name of Applicants in a for effecting pramotions of ublished on 14.5.2019 and me of Applicants in the said I Na.50 and at serial No.51 their case far pramation to al Engineer,
		3. Applicants have m	nade representation on
		15.11.2018 (copies whereof a	
		more than 6 months are over a	
		Respondents, who learned Ad	
		O.A. forthwith, are directed to	
		and take suitable decision or preferably six months.	i the same at the earliest,
		4. O.A. is therefore dispos	ed off accordingly.
:		Sd/-	Sd/-
		(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman
ł		pin	

!

(G.C.P.) J 1726(B) (20,000-10-2013)

Spl. MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

. 1

...

M.A./RA./C.A. No.

of 20

I N

Original Application No.

of 20

-

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions 'and Registrar's orders	Tribunal's orders			
		<u>M.A. No.433 of 201</u>	9 in O.A. No.7	80 <u>of 2019</u>
	A.M. The S Interv Applie	Maske-Patil & Ors. And Samindar Vs. tate of Maharashtra & Heard Shri M.D. L eners, Smt. Punam M cant and Ms. S.P. Mater for the Respondents	: Ors. onkar, learned Jahajan, learned nchekar, learned	Interveners Applicant Respondents Advocate for th I Advocate for th
	2. such.	This MA has becom	ne infructuous a	und dispos e d off a
		Sd/-	S	Sd/-
	(sgj)	(A.P. Kurhekar) Member (J) 13.8.2019	(P.N. Ē Vice-Chairr 13.8.2	nan (A)
		i		
		T		

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

Tribunal's orders

Date : 13.08.2019

2

R.A.No.9 of 2019 in O.A.No.913 of 2018

The State of Maharashtra & Ors. Appli(Org. Respd.) Versus A.R. Patil Respondents (Org. Appl)

1. Heard Smt. Archana B.K., learned P.O. for the Applicants (Org. Respondents).

2. Issue notice before admission returnable on 29.08.2019.

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

4. Applicant (Org. Respd.) is authorized and directed to serve on Respondents (Org. Appls) intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of R.A.. Respondents (Org. Appls) 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 (Org.Respd.) is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Review Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

5.**0**. to 29.08.2019. Sd/-

Sd/-

(A.P. Kurhekar) Member(J) (P.N'. Dixit) Vice-Chairman

8.

prk

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

Tribunal's orders

2

MA.429/2019 in OA.916/2016 with OA.1099/2016The Principal Secretary,
Revenue & Forest Deptt....Applicant
(Ori.Res.No.2)Vs.(Ori.Res.No.2)M.B. Patil & Ors.
And...RespondentsJ.S. Phad & Ors....Respondents

Heard Ms. S.P. Manchekar, Ld. Chief Presenting Officer for Applicant-original Respondent No.2, Smt. Punam Mahajan, Ld. Advocate for Applicants in OA No.916/16, Shri M.D. Lonkar. Ld. Advocate for Applicants in OA No.1099/16, Shri A.S. Dubey, Ld. Advocate for Respondent No.9 and Shri A.V. Bandiwadekar, Ld. Advocate for Respondents No.4 to 16.

2. This MA is for following prayers:

"12(a) This Hon'ble Tribunal be pleased to grant leave to effect promotion from the cadre of Dy. Collector to the grade of Dy. Collector (Selection Grade), purely as and by way of temporary arrangement, subject to further order to be passed by this Hon'ble Tribunal and on such terms and conditions as this Hon'ble Tribunal may deem fit and proper."

3. Earlier this Tribunal had issued interim relief on 14.9.2018 with following directions:

"6. In the event a case of compelling urgency is made out. requirement of such leave to order of ad hoc promations can be considered, after such leave is sought by making application.

7. Hence, State shall not issue any order of ad hoc promotion unless seniority list is finalized without express leave of this Tribunal."

4. Shri A.S. Dubey, Ld. Advocate for respondent no.9 pleads that he has no objection to the promotion of other applicants provided his seniority remains undisturbed.

5. In view of the urgency mentioned by the State (Respondent No.2) they are permitted to issue adhoc promotions to the post of Dy. Collector (Selection Grade) for the purpose stated in the MA. Precaution should however be taken that the seniority list is not finalized while doing so without express leave of this Tribunal. Respondent no.2 is therefore allowed to issue necessary promotions accordingly on the basis of the provisional list published on 3.3.2018. MA disposed off accordingly.

Sd/-

(A.P. Kurhekar) Member (J) 13.8.2019

Sd/-

(P.N. Dixit) Vice-Chairman (A) 13.8.2019

(sgj)

[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

Арр	otes, Office Memoranda of Coram, earance, Tribunal's orders or tions and Registrar's orders	Tribunal's orders	
		Date : 13.08.2019 C.A.No.6 of 2019 in O.A.No.1184 of 2017 with C.A.No.7 of 2019 in O.A.No.1185 of 2017 S.G. Gaikwad (C.A.6/2019 IN O.A.1184/2017) B.S. Jadhav (C.A.7/2019 IN O.A.1185/2017) Applicants	
		Versus The State of Maharashtra & Ors. Respondents	
		 Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned P.O. for the Respondents. Learned P.O. Smt. K.S. Gaikwad for the Respondents submits communication dated 03.06.2019. The same is taken on record and marked as 'X' for the purpose of identification. 	
		3. According to the said communication, decision has	
		been taken as per the directions given by this Tribunal on 10.01.2018. Learned Advocate Shri B.A. Bandiwadekar for	
		the Applicants submits that Contempt Applications have become infructuous in view of the communication.	
		4. Accordingly, Contempt Applications are disposed off.	
		Sd/- Sd/-	
		(A.P. Kurhekar) (P.N. Dixit) Member(J) Vice-Chairman prk	

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./¢.A. No.

of 20

.....

ΙN

Original Application No.

of 20

App	ites, Office Memoranda of Coram, arance, Tribunal's orders or ions and Registrar's orders		Tribunal's orde	5
		Date	: 13.08.2019	
			O.A.No.23 of	2019
		1	.L. Chutke	Applicant
		Versu The S	is tate of Maharashtra & Ors.	Respondents
		1.	Heard Shri S.P. Wasnik, le	earned Advocate for the
			cant and Shri A.J. Chougul ondents.	e, learned P.O. for the
	1	2. seeks	Learned Advocate Shri S.P. adjournment for filing his rej	
		3. adjou	At the request of learned A rned to 20.08.2019.	dvocate Shri S.P. Wasnik
			Sd/-	Sd/- ,
		prk	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman

[Spl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAL

- --- -

M.A./R.A./¢.A. No.

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 13.08.2019 O.A.No.110 of 2019		
	S.H. Pathan Versus The State of Maharashtra & C	Applicant Drs Respondents	
	 Heard Shri M.B. Kada Applicant and Shri S.D. D Respondents. 	m, learned Advocate for the Dole, learned P.O. for the	
	 Learned Advocate S Applicant submits his rejoine record. 	Shri M.B. Kadam for the der. The same is taken on	
	3. Admitted and kept fo with liberty to circulate.	r final hearing in due course	
	Sd/-	Sd/-	
	(A.P. Kurbekar) Member(J) prk	(P.N. ^t Dixit) Vice-Chairman	

(G.C.P.) J 2359(B) (50,000–3-2017) ISpl.- 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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's o	rders
	Date	: 13.08.2019 O.A.No.19	0 of 2019
	S.S. N	lohare (Khamkar)	Applicant
	Versu The S	is tate of Maharashtra & O	rs Respondents
	1.	Heard Smt. Punam Mi	ahajan, learned Advocate fo
	the A		lanchekar, learned C.P.O. fo
	the R	espondents.	
	2.	Learned C.P.O. Ms.	S.P. Manchekar for the
	Respo	ndents seeks time for fili	ng reply.
	3.	Adjourned to 22.08.20	19.
		Sd/-	Sd/-
	prk	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman
	PIR		

(G.C.P.) J 2959(B) (50,000–3-2017) IN THE MAHARASE	ISpl MAT-F-2 E. FRA 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 o Appearance, Tribunal's order directions and Registrar's or	or Tribunal's orders
	Date : 13.08.2019 M.A.No.426 of 2019 in O.A.No.307 of 2018 The State of Maharashtra & Ors. Applicant(Org. Respondents) Versus S.J. Kamble Respondents (Org. Appl) 1. Heard Smt. Archana B.K., learned P.O. for the Applicants (Org. Respondents). 2. This M.A. is for condonation of delay and seeking additional three months to implement the orders issued by this Tribunal. 3. Learned P.O. Smt. Archana B.K. for the Applicants (Org. Respondents) submits that the orders would be complied within the period of 30 days. 4. Accordingly, extension of 30 days is granted. Sd/- Sd/- Member(J) (P.N. Dixit) Vice-Chairman prk

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

Tribunal's orders		
	O.A. No.781 of 2	<u>019</u>
B.K. E	Bansode	Applicant
	Vs.	
The St	ate of Maharashtra & Ors.	Respondents
	Heard Smt. Punam Mahajan, cant and Ms. Neelma Gohad, learne ndents.	learned Advocate for the ed Presenting Officer for the
2.	Issue notice returnable on 29.8.201	9.
3	Tribunal may take the case for fi	nal disposal at this stage and

stage and separate notice for final disposal need not be issued.

Applicant is authorized and directed to serve on Respondents 4. 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 5. 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 6. 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.

In case notice is not collected within three days and if service 7. report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

In this OA the applicant is Awal Karkun and seeking promotion 8. to the post of Naib Tahsildar. The Ld. Advocate for the applicant has eoclosed copy of letter from Divisional Commissioner addressed to GAD seeking clarification and guidance regarding decision given by the Hon'ble High Court on 4.8.2017 and by the Hon'ble Supreme Court in the SLP No.28306 of 2017 filed by the State. Ld. Advocate for the applicant submits that the applicant was superseded earlier when the promotion orders were issued.

In view of the apprehension mentioned above, the respondents 0 are directed to consider the communication from the Divisional Commissioner and issue suitable directions on merits at the earliest preferably within a period of three months.

The respondents should clarify the above and submit reply by 10. 29.8.2019. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

ł

Sd/-

(A.P. Kurhekar) Member (J) 13.8.2019

(sgj)

Sd/-

(P.N. Dixit) Vice-Chairman (A) 13.8.2019

2

(G.C.P.) J 2959(B) (50,000–3-2017) [Spl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

.....

.......

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

of 20

I N

. • .

ļ.....

Original Application No.

of 20

Арр	otes, Office Memoranda of Coram, earance, Tribunal's orders or tions and Registrar's orders		Tribunal's	orders
		Date	e : 13.08.2019	
			O.A.No.24	44 of 2019
		R.B. Vers	Jagtap	Applicant
			us State of Maharashtra & C	Drs Respondents
		1.	Heard Shri S.B. Gaikw	ad, learned Advocate holding
		for S	hri V.V. Joshi, learned Ac	lvocate for the Applicant and
		Ms. N.G. Gohad, learned P.O. for the Respondents.		for the Respondents.
		2.	Learned P.O. Ms. N.G.	. Gohad for the Respondents
		files	reply on behalf of Respon	dent No.3.
		3.	At the request of I	learned Advocate Shri S.B.
		Gaikv	wad adjourned to 17.09.2	019.
		:	Sd/-	Sd/-
			(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman
		prk		

Date : 13.08.2019

2

C.A.No.142 of 2014 in O.A.No.27 of 2003 with C.A.No.91 of 2015 in O.A.No.704 of 2012

U.P. Paradkar (C.A.142/2014 IN O.A.27/2003) G.B. Gosavi & Ors. (C.A.91/2015 IN O.A.704/2012) Applicants

Versus The State of Maharashtra & Ors. Respondents

1. Heard Shri S.B. Gaikwad, learned Advocate holding for Shri M.I. Pathan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned P.O. for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents submits communication dated 09.08.2019. The same is taken on record and marked as 'X' for the purpose of identification.

3. The said communication is in respect of 5 persons where the bill has been submitted to the Treasury for necessary payment.

4. According to learned P.O. payments of other remaining persons have already been made.

5. In view of the above, learned Advocate Shri 5.B. Gaikwad submits that Contempt Applications may be disposed as withdrawn.

6. By consent, Contempt Applications are disposed as withdrawn.

Sd/-

Sd/- --

(A.P. Kurhekar) Member(J) (P.N. Dixit) Vice-Chairman

prk

(G.C.P.) J 1726(B) (20,000--10-2013)

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

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribuna	l's orders	
	<u>O.A. No.1003 of 2018</u>		
	R.V. Shrigiriwar Vs.	Applicant	
	The State of Maharashtra &	OrsRespondents	
	the Applicant, Smt. K.S.	diwadekar, learned Advocate for Gaikwad, learned Presenting 1 and Shri D.B. Khaire, learned 0.3.	
	12.7.2017 he submitted Chandanshive, who Ld. Adv be Under Secretary. There	the applicant submits that on bis option before one Shri vocate for the applicant claims to e is no acknowledgment on the en given by the applicant as seen	
		to find out whether the same was ecessary record of inward from n this specific issue.	
		Steno copy and hamdast is ed to communicate this order to	
	Sd/-	Sd/-	
	(A.P. Kurhekar) Member (J) 13.8.2019 (sgj)	(P.N. Dixit) Vice-Chairman (A) 13.8.2019	
	i i		
	1		

(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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
Appearance, Tribunal's orders or	Tribunal's orders Date : 13.08.2019 O.A.No.248 of 2019 (Subject : Seniority List) Y.R. Gaikwad Applicant Versus The State of Maharashtra & Ors. Respondents 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. holding for Shri Archana B.K., learned P.O. for the Respondents. 2. Learned C.P.O. Ms. S.P. Manchekar produces communication dated July 2019. The same is taken on record and marked as 'X' for the purpose of identification. 3. Learned Advocate Smt. Punam Mahajan for the Applicant mentions that the prayer has been satisfactorily met. 4. In view of the foregoing, O.A. is disposed off		
	Sd/- Sd/-		
	(A.P. Kurhekar) (P.N. Dixit) Member(J) Vice-Chairman prk		

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./¢.A. No.

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 13.08.2019	
	O.A.No	o.482 of 2019
	B.M. Yadav	Applicant
	Versus The State of Maharashtra 8	& Ors Respondents
	1. Heard Smt. Punam	Mahajan, learned Advocate f
	the Applicant, Ms. S.P. Ma	anchekar, learned C.P.O. for th
	Respondents No.1 & 2 and	l Shri A.M. Deshmukh and Shri
	Joshi, learned Advocate for	Respondents No.3 to 5.
	2. Learned C.P.O. M	Ms. S.P. Manchekar for th
	Respondents seeks one we	ek for filing reply.
	3. Adjourned to 20.08	.2019.
	Sd/-	Sd/-
	(A.P. Kurhekar)	(P.N. Dixit)
	Member(J) prk	Vice-Chairman

(G.C.P.) J 2959(B) (50,000--3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

.

of 20

İΝ

Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 13.08.2019		
	0.A.No.5	574 of 2019	
	B.P. Nagamwar Versus	Applicant	
	The State of Maharashtra &	Ors Respondents	
	1. Heard Shri S.S. Der	re, learned Advocate for th	
	Applicant and Ms. S.P. Man	chekar, learned C.P.O. for th	
	Respondents.		
	2. Learned C.P.O. M	s. S.P. Manchekar for th	
	Respondents seeks two weel	ks for filing reply.	
	3. At the request of lear	rned C.P.O. Ms. S.P. Manchek	
	adjourned to 29.08.2019. La	st chance.	
	Sd/-	Sd/-	
	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman	
	prk	vice channan	

[Spl MAT-F-2 E

·····

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

.....

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

of 20

ΙŇ

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 13 .08.2019		
	O.A.No.120 of 2019		
	G.B. Chambole Versus	Applicant	
	The State of Maharashtra & Ors.	Respondents	
	1. Heard Shri B.A. Bandiwade	ekar, learned Advocate for	
	the Applicant and Ms. S.P. Manchekar, learned C.P.O. f		
	the Re spo ndents.		
	2. Learned Advocate Shri B.	A. Bandiwadekar for the	
	Applicant seeks two weeks.		
	3. At the request of lear	ned Advocate Shri B.A.	
	Bandiwadekar adjourned to 29.08.	2019.	
	Sd/-	Sd/-	
	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman	
	prk		

	MUI	MBAI		
./R.A./C.A. No.	of 20			
IN				
inal Application No.	of 20	b t		
FARAD CON	ΓΙΝΙ	JATION SHE	ET NO.	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribu	nal's orders	
•		.O.A. N	lo.1005 of 201	8
	SI	Kumbhalwar	<u></u>	
	Ì	Vs.		Applicant
	I he s	State of Maharashtra		Responder
	abser Offic	Applicant and nt. Heard Ms. S.P. Ma er for the Responden	anchekar, learr	the Applicant and Chief Preser
· · ·	prom	Today during hear ocate for the applica otion and the respond ining how the applica	nt are absent. lents have subr	This is a cas nitted their affic
	3.	The matter is dismi	ssed for want of	of prosecution.
		Sd/-		Sd/-
	(sgj)	(A.P. Kurhekar) Member (J) 13.8.2019	Vice-Chai	Dixit) rman (A) .2019
		ł		
			•	
	ŀ			

[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

Арр	otes, Office Memoranda of Coram, earance, Tribunal's orders or tions and Registrar's orders	Tribunal's orders		
		Applicant and Ms. S.P. Manche Respond e nts.	Applicant Respondents learned Advocate for the kar, learned C.P.O. for the S.P. Manchekar for the would furnish unaffirmed e for the Applicant and ed next week.	
		Sd/- (A.P. Kurhekar) Member(J) prk	Sd/- (P.N. Dixit) Vice-Chairman	

N THE MAHA	RASHTRA A	ADMINISTRATIVE 7 MUMBAI	[Spl MAT-F-2 E
I.A./R.A./C.A. No.		of 20	
IN			
riginal Application N	To.	of 20	
FA	ARAD CONT	INUATION SHEET	No.
Office Notes, Office Me Appearance, Tribu directions and Reg	nal's orders or	Tribunal's o	orders
		Date : 1 3 .08.2019	
		O.A.No.72	25 of 2018
		Dr. B.B. Birajdar & Ors. Versus	Applicants
		The State of Maharashtra & O	Ors Respondents
		 Heard Smt. Punam Ma the Applicant and Ms. S.P. M the Respondents. 	ahajan, learned Advocate lanchekar, learned C.P.O.
		 Learned C.P.O. Ms. Respondents has filed reply or The same is taken on record. 	S.P. Manchekar for t n behalf of Respondent No
		3. At the request of lear Mahajan adjourned to 29.08.20	rned Advocate Smt. Puna 019.
		Sd/-	Sd/-
		(A.P. Kurhekar) Member(J) prk	(P.ℕ. Dixit) Vice-Chairman

(G.C.P.) J 2959(B) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

·····

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's o	orders
	Date : 13.08.2019	88 of 2018
	Smt. S.R. Kale Versus	Applicant
	The State of Maharashtra & (Drs Respondents
	1. Heard Shri A.S. Tamha	ane, learned Advocate for the
		hekar, learned C.P.O. for the
	Respondents.	
	2. Learned C.P.O. Ms.	S.P. Manchekar for the
	Respondents seeks two weeks	for filing reply.
	3. At the request of	learned Advocate Shri A.S.
	Tamhane adjourned to 05.09.2	
	64(64/
	Sd/-	Sd/-
	(A.P. Kurhekar) Member(J)	(P.N. bixit) Vice-Chairman
	prk	vice-chairman

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal' s	orders
	Date : 13.08.2019 C.A.No.32 of 2019 R.G. Pandekar Versus	in O.A.No.94 of 2019 Applicant
	The State of Maharashtra &	Ors Respondents
		Mahajan, learned Advocate fo . Gaikwad, learned P.O. for the
		S. Gaikwad for the Respondent dated 10.08.2019, wherein
	Applicant and provide hir	cision to review the case of the m necessary posting on non taken on record and marked a fication.
	3. In view of the same,	C.A. is disposed off accordingly
	Sd/-	Sd/-
	(A.P. Kurhekar) Member(J) ^{prk}	(P.N. Dixit) Vice-Chairman

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	-	te : 13.08.2019 M.A.No.425 of 2 e State of Maharasht	2019 in O.A.No.306 of 2018 ra & Ors.
	-	sus I. Kelkar	Applicant(Org. Respd.) Respondents (Org. Appl)
	1. Арр	Heard Smt. Arc licants (Org. Respond	hana B.K., learned P.O. for the
			condonation of delay and seeking to implement the orders issued by
	1		t. Archana B.K. for the Applicants mits that the orders would be id of 30 days.
	4.	Accordingly, exter	nsion of 30 days is granted.
		Sd/-	Sd/-
	prk	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman