(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: 13/12/17

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.: Archana B.K.

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

Adj. To 11/1/2017.

O.A. No. 418 of 2016 with O.A. No.795 of 2016

Smt S.S. Shinde & Ors ... Applicants

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicants and Smt. Archana B.K., the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri Sameer Dalvi, Assistant Desk Officer, Public Health Department, Mantralaya, Mumbai. A copy of the communication from Shri S.H. Bhosale, Under Secretary, P.H.D. to the C.P.O.'s office is perused and returned. It appears from the submissions on behalf of the respondents that in Public Health Department there was no Principal Secretary. The title of this O.A. may, therefore, be appropriately corrected on or before 16.12.2016 and a **fresh notice in terms of my order of 28.11.2016 be issued to the Secretary, Public Health Department** who was supposed to do needful in the matter at point of time relevant hereto.

The case be shown on 11.1.2017.

Sd/-

13-12-16

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

(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

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : G.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt. : Archana B.K.
C.P.O / P.O. for the Respondents
Admit.
Adj. To Liberty to mention is granted.

O.A. No. 962 of 2016

Smt M.P. Khadilkar ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.

The learned Advocate undertakes to file rejoinder during the course of the day. On this statement, the Original Application is admitted with liberty to mention.

Sur-rejoinder, if any, must be filed on the next date before the Second Division Bench and not thereafter.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

(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. No.1041 of 2016

Shri A.T. Khot ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Applicant in person and Ms S. Suryawanshi, the learned P.O. for the Respondents.

The request for further time made by the learned P.O. for filing reply is rejected because on 23.11.2016 last chance was already given.

The O.A. proceeds without reply and is formally admitted and appointed for final hearing before the Second Division Bench on 22.12.2016 making it clear that on that date also if the reply is tendered it will be taken on record but no adjournment shall be given.

S.O. to 22.12.2016

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL~~ (Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt.: Heard Appl. in Person
Advocate for the Applicant
Shri /Smt. : S. Suryawanshi
C.P.O / P.O. for the Respondents
Adj. To 22/12/16

[PTO

(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. No. 1024 of 2016

Smt P.P. Sakpal ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.

The request of the learned P.O. for time to file reply is rejected in view of my order of 8.11.2016.

The Original Application is admitted and appointed for final hearing before the Second Division Bench on 12.1.2017 making it clear that on that day if the reply is tendered just before the hearing commence it will be taken on record but no adjournment shall be given for reply. Hamdast.

S.O. to 12.1.2017.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : G.A. Bandiwadekar
Advocate for the Applicant
Shri /Smt. : Archana B.K.
C.P.O / P.O. for the Respondents

Adj. To 12/1/2017.

[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

..... Applican /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. No.921 of 2016

Smt N.S. Chougule ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit., the learned C.P.O. for the Respondents.

Affidavit-in-rejoinder is taken on record.

Regard being had to nature of the controversy, the fixed date is being given for final hearing of the Original Application. Preliminary ~~the~~ issue raised can also be considered and it will be opened to the Division Bench to decide as to whether the entire O.A should be heard or it should be heard piecemeal.

The respondents shall be free to file detailed affidavit-in-reply on the date matter is appointed for final hearing and in that case they shall serve a copy in two days in advanced to the applicants.

With this, the Original Application is admitted. Hamdast.

S.O. to 16.1.2016.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/1/2017
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt.: K.R. Jagdale
Advocate for the Applicant
Shri /Smt.: N.K. Rajpurohit
C.P.O / P.O. for the Respondents

Adj. To 16/1/17.

[PTO

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

M.A. No.524 of 2016
In
O.A.No.1146 of 2016

Smt S. G. Padage ... Applic nt

V/s.

The State of Mah. & ors. ... I espondents

Heard Shri G.A. Banc iwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

Issue notice returnable on 11.1.20 7.

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

Applicant is authorized and dir cted to serve on Respondents intimation / notice of date of hearing duly authenticated by Registr . along with complete paper book of O.A. Re p ondents are put to notice that the case woulc be taken up for final disposal at the stage o 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 11.1.2017. Learned P.O do waive service.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt.: G.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt.: S. Suryawanshi
C.P.O./P.O. for the Respondents

Adj. To 11/1/2017

(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 order

O.A.826/201(

Integrated Medi. Practitioner Association.
... Applicant

Vs.

The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicant, Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents 1 & 2 & Shri M.D. Lonkar, the learned Advocate for Respondents 3 & 4.

Shri Dere, the learned Advocate informs that on instructions from the Applicant, he seeks to withdraw the OA with liberty to file a fresh one on the same cause of action making sure that there was no technical hitch therein. Having considered the submissions in the light of the facts such as they are, I am satisfied that a case is made out for the grant of the liberty as is prayed for. The OA is allowed to be withdrawn with liberty to file a fresh one on the same cause of action and this OA is accordingly disposed of with no order as to costs.

Sd/-

(R.B. Malik) 13.12.16
Member (J)
13.12.2016

(skw)

DATE: 13/12/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt.: S.S Dere
Advocate for the Applicant
Shri/Smt.: S. Suryawanshi
C.P.O / P.O. for the Respondents 1 & 2.
Adv. M.D. Lonkar for R.3 & 4.
Adj. To.....O.A. is disposed of.

[P.T.O.

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

M.A. No.583 of 2015 In O. A. No.103[illegible] of 2015
with O.A. No.103[illegible] of 2015

Shri B.V. Sawant & 2 Ors ... Applicants
V/s.
The State of Mah. & ors. ... Respondents

This is an application for condonation of dalay in filing the Original Application.

I have perused the record and proceedings and heard Shri V.V. Joshi, the learned Advocate for the applicants and Ms S. Suryawanshi, the learned P.O. for the respondents.

The learned P.O. sought further time to file affidavit-in-reply. That request was turned down because sufficient opportunity was already given but more importantly it was because of the facts such as they are. The learned P.O. even without the reply strongly opposes the M.A. contending inter-alia that the delay was inexcusable.

The O.A. was brought by two applicants essentially for deemed date. Both of them are retired ASIs. The details have been furnished as to how this Tribunal itself in the case of similarly placed applicants in **O.A. No.1215/2013, Shri Jagdish T. Andhale & 8 Ors V/s. State of Maharashtra & 2 Ors and some other O.A.s,** granted relief as indicated in the common order dated 4.7.2014. The State brought R.A. No.23/2014 which came to be dismissed by an order of 1.9.2014 by the Second Division Bench of which I was also a Member.

There are other facts mentioned in the M.A. to infact show as to how the applicants were initially promoted and then reverted again and as to how they had conducted themselves in the matter. In fact there is a distinct aspect of the matter which if probed will even require consideration of the fact at issue that there may not be any delay at all. However, even if I were to proceed on the basis that the delay was there, the issue still survives as to whether a case is made out for condonatin thereof. In the context of a factual situation such as it is which has been summarized above, I am of the opinion that the applicant cannot be assailed of a conduct which could be described as so contumacious as to forfeit the rights to claim judicial indulgence. The legal position in this branch of law favors an approach which is liberal rather than rigid and justice oriented rather than technical.

In that view of the matter, herefore, in my view a case is made out for condonation of delay. The delay is, therefore, condoned. The applicants and the office are directed to process the O.A. so as to place it before the bench for decision according to law.

The Misc. Application is allowed with no order as to cost.

Reply of the O.A. is taken on record and is adjourned for rejoinder to 3.1.2017.

Sd/-
(R.B. Malik)
Member (J)
13.12.2016

DATE: 13/12/16
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.~~ S. Suryawanshi
~~C.P.O / P.O. for the Respondents~~

Adj. to MA is allowed.
O.A.S.O.to 3/1/17.

(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.No. 1153 of 2016

Shri S.T. Sabale ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Smt Punam Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.

Although today I am granting time to file affidavit-in-reply, it appears quite clear that the issue involved herein is concluded by a few judgments in the field including **O.A.No.503/2015, Shri Piyush M. Shinde V/s State of Maharashtra & 2 Ors, dated 5.4.2016** and in the matter relates to appointment on compassionate ground and, therefore it naturally brooks no unnecessary delay. Regardless of whether reply is filed or not on the next date, this O.A. shall proceed to its next stage.

With this, Original Application stands adjourned for reply too.

S.O. to 10.1.2017.

Sd/-

13-12-16

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL~~ (Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : Punam Mahajan
Advocate for the Applicant
Shri /Smt. : Archana B.K.
C.P.O / P.O. for the Respondents

Adj. To 10/1/17.

[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. No. 337 of 2016

Smt S. A. Chavan ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri U. Kurund, the learned Advocate for the Applicant, Ms S. Suryawanshi, the learned P.O. for the Respondent nos.1 to 3 and Smt Punam Mahajan, the learned Advocate for the Respondent No.4.

In view of the contents in para 2.1 in the affidavit of Shri H.H. Kharade, S.D.O., page 26 of the Paper-Book, Shri U. Kurund, the learned Advocate seeks leave to withdraw the Original Application with permission to exhaust alternate remedy. The respondents have no objections.

The Original Application is allowed to be withdrawn with liberty to pursue the case before the authorities by way of alternate remedy and, therefore, this O.A. stands disposed of with that liberty with no order as to cost.

Sd/-

(R.B. Malik) 13-12-16
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : U. Kurund
Advocate for the Applicant
Shri /Smt. : S. Suryawanshi
C.P.O / P.O. for the Respondents 1 to 3.
Adv. Ms. P. Mahajan for R 4.
Adj. To..... OA stands disposed of.

[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. No. 930 of 2016

Smt G. J. Rajput ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Smt Punam Mahajan, the learned Advocate for the Applicant and Shri N.K. Rajpurohit., the learned C.P.O. for the Respondents.

The learned Advocate informs that the applicant does not want to file rejoinder.

Admit, liberty to mention.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : Punam Mahajan
Advocate for the Applicant
Shri /Smt. : N.K.Rajpurohit
C.P.O / P.O. for the Respondents

Adj. To: Admit. Liberty to mention.

13-12-16

[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: 13/12/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. : R. G Panchal

Advocate for the Applicant

Shri /Smt. : Archana B.K

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

Adj. To 3/1/17. Hamdast.

O.A. No.1100 of 2016

Shri S.V. Shintre ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri R.G. Panchal, the learned Advocate for the Applicant and Smt Archana B.K., the learned P.O. for the Respondents.

Heard both the sides. The learned P.O. is instructed by nobody from the concerned office. There is a history to this particular matter and regard being had to urgency expressed on behalf of the applicant ~~that~~ a comparatively shorter date was given. Irrespective of whatever order was passed, the matter will have to be heard at the earliest.

I make it clear that on the next date if the reply is not filed, I shall immediately hear the matter for consideration of urgent relief and in any case it will be my endeavor to try and make sure that the O.A. itself be heard expeditiously.

Adjourned for reply in the background of above directions on 3.1.2017. Hamdast.

Sd/-

(R.B. Malik)
Member (J)
13.12.2016

13-12-16

(vsm)

[P.T.O.

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

O.A.1145/2016

Shri S.S. Bhandare ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

The matter is placed before me today for consideration of interim relief. A very detailed statement of facts is not necessary. The 4th Respondent came to be promoted on 24th April, 2015 and I make it clear that, that position is not going to be in any manner affected by the order which is being made today by me. The present Applicant apprehends that he might be reverted pursuant to the order dated 24th April, 2015 (Exh. 'F', Page 28 of the Paper Book). The learned PO seeks time to ascertain the position and file Affidavit-in-reply. I am of the opinion that even as the Respondents including the 4th Respondent will have to be given opportunities to file the Affidavits-in-reply, but the Applicant cannot be left entirely unprotected because it cannot be said that he has got absolutely no arguable case. Mr. Dere makes a statement on instructions that the Applicant has not been reverted so far and I rely only on this statement at the Bar define it as a status quo and direct both the sides to maintain it till the next date.

Issue notice returnable on 13.01.2017.

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 13th January, 2017.

Sd/-
(R.B. Malik)
Member (J)
13.12.2016

(skw)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt.: S.S. Dere
Advocate for the Applicant
Shri /Smt.: K.B. Bhise
C.P.O / P.O. for the Respondents

Adj. To 13/1/2017.

(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.No. 255 of 2016

Shri Dr. V. K. Patne ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri B. A. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

The learned P.O. seeks time to file sur-rejoinder.

I have perused the record and proceedings. Although the O.A. was formally admitted on 10.10.2016 but the copy of the rejoinder was tendered in the office of C.P.O. on 23.6.2016 and, therefore, sufficient time has been given for sur-rejoinder.

I make it clear that the next date is being appointed for final hearing and the matter will be heard irrespective of whether sur-rejoinder is filed or not but if the reply is filed on that day it will be taken on record.

S.O. to 20.12.2016.

Sd/-

(R.B. Malik) 13-12-16
Member (J)
13.12.2016

(vsm)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
~~Shri/Smt.~~ : B.A. Bandiwadekar
Advocate for the Applicant
Shri /Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondents

Adj. To 20/12/16

[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

O.A.1148/2016

Shri V.K. Gandhile ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

Issue notice returnable on 05.01.2017.

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 5th January, 2017. Liberty to seek urgent interim relief kept in tact.

Sd/-
(R.B. Malik)
Member (J)
13.12.2016

(skw)

DATE: 13/12/16
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
Shri/Smt. : Punam Mahajan
Advocate for the Applicant
Shri /Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondents

Adj. To 5/1/2017.

[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 : 13/12/16
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri /Smt. : S. Suryawanshi
C.P.O / P.O. for the Respondents

Adj. To 9/1/17

O.A.830/2016

Shri C.R. Rajput ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

The learned PO is being instructed by Mr. D.P. Jadhav, Assistant, Revenue Department, Mantralaya, Mumbai. The prayer for further time to file Affidavit-in-reply is rejected because last chance was already given. The reason put forth that the Session is going on at Nagpur is in my opinion only an excuse because in the earlier period, there was sufficient time to file the reply and in any case, two Officers are already present before me. The OA proceeds without Affidavit-in-reply and is formally admitted and is appointed for final hearing before the 2nd Division Bench on 9th January, 2017 making it clear that even on that day, if the reply is tendered, it will be taken on record but no adjournment shall be given for reply.

S.O. to 9th January, 2017.

Sd/-
(R.B. Malik)
Member (J)
13.12.2016

(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

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..... Respondent/s

(Presenting Officer.....)

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

DATE : 13/12/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
Shri/Smt. : S.S. Dere holding for C.T. Chandratre
Advocate for the Applicant
Shri /Smt. : A.B. Kololgi
C.P.O / P.O. for the Respondents

Adj. To 3/1/2017.

O.A.1060/2016

Shri S.N. Balla ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere holding for Shri C.T. Chandratre, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Shri Dere, the learned Advocate informs that all the Respondents have already been served. The purpose of the order just made is, therefore, served.

Issue notice returnable on 03.01.2017.

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 3rd January, 2017. The OA is adjourned for Affidavit-in-reply to 3rd January, 2017.

Sd/-

(R.B. Malik) 13.12.16
Member (J)
13.12.2016

(skw)

[P.T.O.