

**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
	<p>Date: 14.05.2019</p> <p>O. A. 369 of 2019</p> <p>H.H. Dabade .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant has sought permission to file additional Affidavit in support of his contention that Applicant is subjected to discrimination. He further pointed out that in impugned order, other 22 employees were transferred but not relieved till date. He has also pointed out in case of four employees, the transfer order has been modified by the Respondent. He therefore, seeks permission to file additional Affidavit to bring this fact on record. Allowed to file Additional affidavit. It be taken on record.</p> <p style="text-align: right;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

Date: 14.05.2019

M.A. 280 of 2019 in O. A. 216 of 2016

The State of Maharashtra & Ors. ....Applicants (Org. Resp.)  
Versus  
A.P. Charate .....Respondent (Org. Appl.)

1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Resp.) and Shri D.P. Adsule holding for Shri D.B. Khaire, learned Advocate for the Respondent (Org. Appl.).

2. In O.A. 216/16, this Tribunal by judgement dated 10.04.2019 set aside the impugned orders dated 07.09.2019 and 13.10.2015 and issued directions to the Government Respondents to reinstate the Applicant within one month from the date of judgement.

3. Smt. K.S. Gaikwad, learned P.O. submitted that the department contemplates to file Writ Petition against the order passed by this Tribunal and for that purpose, the opinion of Law and Judiciary Department has sought. At the same time, she submits that if the Law and Judiciary Department gives adverse opinion, in that event, the department will implement the order. She, therefore, requested for grant of time. She has pointed out that because of ongoing vacation, the file could not be proceeded earlier.

4. Whereas, the learned Advocate for the Applicant opposed the application by contending that the department had availed enough time to implement the order.

5. Perusal Application reveals that the department is taking steps to seek the opinion from Law and Judiciary Department. File is already submitted on 24.04.2019. It would be therefore appropriate to grant two weeks' time to the Respondent either to implement the order passed by this Tribunal or avail stay order from Hon'ble High Court. No further time will be granted.

Sd/-

(A.P. KURI)  
MEMBER (J)

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

Office Notes

Date: 14.05.2019

M.A. 278 of 2019 in M.A. 279 of 2019 in O. A. No. 1102 of 2018  
with M.A. 279 of 2019 in O. A. No. 1102 of 2018

The State of Maharashtra & Ors. ....Applicant (Org. Resp.)

Versus

D.N. Tonde

.....Respondent (Org. Appl.)

1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Applicant and None for the Respondent.
2. In O.A. 1102/18, this Tribunal by order dated 24.04.2019 set aside the transfer order dated 14.09.2018 with direction to repost the Applicant within two weeks from the date of judgement.
3. Learned P.O. requested for extension of time to comply order dated 24.04.2019. She explained due to ongoing election process, the matter could not be proceeded for reposting of Applicant within two weeks and requested for grant of time till 01.06.2019.
4. M.A. 278/19 is filed for condonation of delay for filing application of extension of time and M.A. is filed for extension of time to compliance of order dated 24.04.2019.
5. Applicant and his counsel are absent, though Applicant has been served with the notice of M.A.
6. In view of above, two days delay in filing M.A. is condoned. Accordingly M.A. 278/19 is allowed.
7. In so far as M.A. 279/19 is concerned, time is extended till 01.06.2019 for compliance of order dated 24.04.2019.
8. Accordingly, both the M.As. are disposed of with no order as to costs.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

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

Date: 14.05.2019

O. A. No. 473 of 2019

K.K. Bangar .....Applicant  
Versus  
The State of Maharashtra .....Respondent.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondent.
2. In the present O.A., the Applicant is seeking limited relief of protection in case order is passed against her in pursuance of Show Cause Notice dated 02.05.2019 issued by Respondent to terminate her services.
3. Having heard the learned Advocate for the Applicant and learned P.O. for the Respondent, in my considered opinion, clear order at this stage on similar line is passed in O.A. 1567/18 dated 14.09.2018, O.A. 209/19 dated 14.03.2019 and O.A. 458/19 dated 09.05.2019.
3. O.A. is therefore disposed of with direction, that if adverse order is passed against Applicant in pursuance of Show Cause Notice Issued to her it shall not be acted upon for four weeks from date of communication of the order to the Applicant.
4. In view of above, the O.A. stands disposed of with no order as to costs.
5. Hamdast is granted.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

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

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Date: 14.05.2019

O. A. No. 477 of 2019

B.V. Kulkarni .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 03.06.2019.
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 Original Application. 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 03.06.2019. Issue of interim relief is kept open.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

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

Date: 14.05.2019

O. A. No. 475 of 2019

D.T. Lawate .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 12.06.2019.

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 Original Application. 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 12.06.2019.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)