

## 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
---	-------------------

**14.10.2016**

**O.A No 957/2016**

Shri S.S Magdum ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned  
advocate for the applicant and Ms Archana B.K.  
learned Presenting Officer for the Respondents.

Learned Advocate Shri Bandiwadekar  
stated that the Respondents are dragging their  
feet for filing affidavit in reply in this case. The  
case of the Applicant is fully covered by the  
decision of this Tribunal dated 18.8.2016 in O.A  
n o 518/2016, wherein another Police Naik, who  
was Applicant in that case was transferred in a  
similar circumstances by the same Respondents  
and that order was quashed and set aside. That  
order has been accepted by the Respondents and  
implemented.

In view of the submission made by the  
learned Advocate Shri Bandiwadekar,  
Respondent no. 1 is directed to file a short  
affidavit in reply in which it may be clarified  
whether the aforesaid judgment of this Tribunal  
is applicable in the facts of the present case also  
and if not the reason why it is not applicable may  
be clearly explained.

The affidavit in reply should be filed before  
the next date, otherwise, the request for interim  
relief will be considered.

S.O to 24.10.2016. Hamdast.

DATE: 14/10/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To. S.O. to 24/10/16.

Hamdast.

*[Signature]*

Sd/- *[Signature]*  
(Rajiv Agarwal)  
Vice-Chairman

**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
---	-------------------

**14.10.2016**

**O.A No 857/2016**

Shri P.U Bisen ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri C.T Chandratre, learned advocate for the applicant, Ms Archana B.K. learned Presenting Officer for the Respondents no. 1 & 2 and Shri Deshumkh learned advocate for Respondent no. 3.

Despite clear instructions that 'No D.E Certificate' should be issued by the Government itself and not by any subordinate office, no action seems to have been taken by the Respondent no. 1. Cost of Rs. 5000/- is imposed on Respondent no. 1, which should be deposited in the Registry of this Tribunal before next date.

The matter may be kept for further hearing on 27.10.2016.

DATE: 14/10/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. Archana B.K.

~~C.P.O./T.O. for the Respondents No. 1 & 2~~

~~Shri Deshumkh for R.No 3~~

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

S.O. to 27/10/16.

@m

Akn

Sd/-

(Rajiv Agarwal)  
Vice-Chairman



**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
---	-------------------

**14.10.2016**

**O.A No 707/2016**

Shri R.S Gaikwad ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K. learned Presenting Officer for the Respondents.

Learned Advocate Shri Bhosle files affidavit in rejoinder.

Original Application is admitted. Respondents are at liberty to file sur-rejoinder, if need be.

Place for final hearing on 11.11.2016.

DATE: 14/10/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. U.V. Bhosale

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

O.A. is admitted.  
Rejoinder filed by Applicant.  
Adj. to 11/11/16.  
S.O. to 11/11/16.

*[Handwritten signature]*

Akn

Sd/-

*[Handwritten signature]*  
(Rajiv Agarwal)  
Vice-Chairman

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

Tribunal's orders

**14.10.2016**

**O.A No 881/2016**

Shri L.Y Bhagale ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri N.P Dalvi, learned advocate for the applicant and Ms Archana B.K. learned Presenting Officer for the Respondents.

In this Original Application, the Applicant is challenging the rejection of his representation seeking posting in Home District during the last year before his retirement and on the ground that he has been serving in Naxalite Affected Area for five years.

By order dated 19.7.2016, in O.A no 709/2016 directions were given to the Respondents to consider the representation of the Applicant in the light of provisions of G.R dated 6.8.2002 and any other G.R on this subject. However, the representation has been rejected summarily without assigning any reason by order dated 18.8.2016, which is challenged in the present O.A.

Learned Advocate Shri Dalvi stated that the Applicant is having only eight months before his retirement. Instead of taking action as directed by this Tribunal, the Respondents have deliberately posted the Applicant from Gondia to Gadchiroli and now despite such a short time before retirement, the Respondents are dragging their feet in filing reply.

Learned P.O stated that last chance may be granted for filing reply. The reply may be filed positively on 29.10.2016 otherwise cost will be imposed and it will be presumed that Respondents are not willing to file reply and matter will be heard finally.

S.O to 24.10.2016. Hamdast.

DATE: 14/10/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. N.P. Dalvi

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To S.O. to 24/10/16.

Hamdast.

*(Signature)*

Sd/-

(Rajiv Agarwal)  
Vice-Chairman



**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
---	-------------------

**14.10.2016**

**O.A No 692/2016**

Shri P.B Kore ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

Reply has been filed by the Respondents.  
Original Application is admitted.

Place for final hearing on 10.11.2016.

DATE: 14/10/16

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. A.J. Chougule

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

O.A. is admitted.

Adj. To S.O. to 10/11/16.

Akn

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

*Fly*  
*[Signature]*

# 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
<p><b>DATE:</b> <u>17/10/16</u></p> <p><b>CORAM:</b> <u>Shri R.B. Malik (M)</u>  <u>Hon'ble Shri A.H. Joshi (Chairman)</u>  <u>Hon'ble Shri M. Rameshkumar (Member)A</u></p> <p><b>APPEARANCE:</b>  <u>Shri K.R. Jagdale</u>  Advocate for the Applicant  <u>Shri/Smt. H.S. Jhed</u>  C.P.O / D.O. for the Respondent/s</p> <p>Adj. To..... <u>Admit.</u></p>	<p style="text-align: center;"><b><u>O.A.998/2015</u></b></p> <p><b>Ms. K.A. Kedar</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>Admit. Liberty to mention granted.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.</p> <p>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.</p> <div style="text-align: right; border: 1px solid black; padding: 5px; width: fit-content; margin: 10px auto;">       Sd/-        (R.B. Malik)        Member (J)        17.10.2016     </div> <p style="text-align: right;">17/10/16 a</p>

(skw)

**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.767/2016**

**Shri A.B. Toraskar ... Applicant  
Vs.**

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

Heard Shri T.V. Jadhav, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Shri Jadhav, the learned Advocate for the Applicant informs that the Applicant does not want to file Rejoinder. The OA is admitted. In as much as there is an interim relief, the OA is now appointed for final hearing before the appropriate Bench on 8<sup>th</sup> November, 2016.

Interim relief to continue till then.

Sd/-

(R.B. Malik)  
Member (J)  
17/10/2016

(skw)

DATE: 17/10/16

CORAM: Shri R.B. Malik (m)  
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt.: T.V. Jadhav

Advocate for the Applicant

Shri/Smt.: J. G. Gohad  
C.P.O / P.O for the Respondent/s

Adj. To..... 8/11/16

F.H.  
[Signature]

# 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
<p><b>DATE:</b> 14/11/16</p> <p><b>CORAM:</b> Shri R.B. Malik (M.J.) Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice M. Rameshkumar (Member) A</p> <p><b>APPEARANCE:</b> Shri S.P. Manchekar Advocate for the Applicant Shri A.J. Chougule C.P.O./P.O. for the Respondent/s Admit.</p> <p>Adj. To: 7/11/16</p> <p>F.H. HE</p>	<p align="center"><b><u>O.A.359/2016</u></b></p> <p><b>Shri P.D. Yasatwar ... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>Rejoinder is taken on record. Admit.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. The questions such as limitation and alternate remedy are kept open.</p> <p>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.</p> <p>Place it for final hearing on 7<sup>th</sup> November, 2016.</p> <p align="right">Sd/- (R.B. Malik) Member (J) 14/10.2016</p> <p align="right">-16</p> <p align="center">(skw)</p>



**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.868/2016**

**Shri K.G. Patil ... Applicant**

**Vs.**

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

Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.

OA is admitted. Regard being had to the fact that liberty was reserved for interim relief, but now that the Affidavits have been filed, a fixed date is given for final hearing.

S.O. to 10<sup>th</sup> November, 2016. Sur-rejoinder, if any, must be filed on that day and not thereafter.

DATE: 14/10/16

CORAM: Shri R.B. Malik (M)  
Hon'ble Justice Shri H. Joshi (Chairman)  
Hon'ble Shri M. Rameshkumar (Member) A

**APPEARANCE:**

Shri/Smt. B.A. Bandiwadekar

Advocate for the Applicant:

Shri/Smt. A.B. Kololgi

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

Adj. To. 14/10/16

F.H.  
B.E.

(skw)

Sd/-  
(R.B. Malik)  
Member (J)  
17/10.2016

17.10.16

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 : 14.10.2016.

O.A.No.938 of 2015

Shri P.R. Jagdale & Ors.


...Applicants

Vs.

The State of Mah. & Ors.

...Respondents

1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents Smt. Archana B.K. seeks time to take instructions.
3. Hence, S.O. to 26.10.2016.

  
(J.D. Kulkarni)  
Member (J)

sba

[P.T.O.]

14/10/16

Coram - Hon'ble Shri J.D.  
Kulkarni (M-J)

Shri G.A. Bandiwadekar  
Adv for the Applicant  
Smt Archana B.K.  
P.O. for the Respondents

S.O. to 26/10/16.



(Presenting Officer.....)

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

Tribunal's orders

Date : 14.10.2016.

C.A.No.53 of 2015 in O.A.No.697 of 2012

Shri D.M. Barmase

...Applicant

Vs.

The State of Mah. & Ors.

...Respondents

1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. At the request of learned P.O. for the Respondents, S.O. to 21.10.2016.

  
 sba  
 (J.D. Kulkarni)  
 Member (J)

sba

14/10/16

Coram - Hon'ble J.D. Kulkarni (M.J)

Shri V.P. Potbhare  
Adv for the Applicant  
Smt Archana B.K.  
P.O for the respondents

Soto 21/10/16.

→

(Presenting Officer.....)

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

Tribunal's orders

Date : 14.10.2016.

C.A.No.137 of 2014 in O.A.No.242 of 2013

Shri S.A.K. Miyan

...Applicant


Vs.

The State of Mah. &amp; Ors.

...Respondents.

1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. At the request of learned Advocate for the Applicant and learned P.O. for the Respondents, adjourned to 10.11.2016.

  
(J.D. Kulkarni)  
Member (J)

sba

[P.T.O.]

14/10/16Coram - Hon'ble J.D. Kulkarni  
(M.J)Shri V.P. Potbhare Adv.  
for the Applicant.Smt Archana B.K.,  
P.O. for the Respondents.Heard.  
order passed in  
Tribunal Column.  
50 to 10/11/16.

✍