[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 207 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.
Date : 18 JAN 2016

M.A. No. 632/2015 IN O.A. No. 536/2015.

1. The D.G.P., M.S., Mumbai.
2. The State of Maharashtra, Through the Principal Secretary, Home Dept., Mantralaya, Mumbai.

....**APPLICANT/S. (Ori.Resp.)**

VERSUS

1 Shri Umesh B. Sapkal,
R/o. Colaba Police Quarter, Best Road, Colaba, Mumbai & Ors.,

...RESPONDENT/S (Ori. Appli.)

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Smt. K.S. Gaikwad, P.O. for the Applicants (Ori. Resp.)
Shri. G.A. Bandiwadekar, Advocate for the Respondent (Ori. Appli.)

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **15.01.2016.**

ORDER : (M.A. No. 632/2015 IN O.A. No. 536/2015)

1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Applicants (Org. Respondents) and Shri G.A. Bandiwadekar, the learned Advocate for the Respondents (Org. Applicant).

2. Learned P.O. Smt. K.S. Gaikwad states as follows:-

Order Passed by this Tribunal is complied with.

3. The purpose of filing this M.A. does not survive and hence, M.A. is disposed of.

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

Masal 16/1/2016
Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 203 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 18 JAN 2016

ORIGINAL APPLICATION NO. 1001 OF 2015.

1. Shri Somnath B. Shete,
R/o. Gurudeo Park, Flat No. 103, Manik Nagar, Gangapur Road, Nasik.

....**APPLICANT/S.**

VERSUS

1. The State of Maharashtra, through Principal Secretary(2), Urban Development Dept., Having office at Mantralaya, Mumbai-400 032.

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Shri G.A. Bandiwadekar, Advocate for the Applicant.
Smt. K.S. Gaikwad, P.O. for the Respondents.

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **15.01.2016.**

ORDER : 1. Heard Shri G.A. Bandiwadekar, learned Advocate for the applicants and Smt. Kranti Gaikwad, learned P.O. for the respondents.

2. Smt. Kranti Gaikwad, learned P.O. for the respondents on instructions states that the Government would need about four weeks time for issuing the order for posting of the applicant.

3. In this case, the Government has raised the objection as regards territorial jurisdiction, the objection is well sustained.

4. Since the cause of action is accrued with the territorial jurisdiction of Nagpur Bench of this Tribunal, this Original Application is dismissed.

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

16/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 210 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 18 JAN 2016

ORIGINAL APPLICATION NO. 922 OF 2015.

1. Dr. Bhupendra U. Bodhankar,
R/at. Quarter No.Y-5/71, Govt. Colony, Bandra (E), Mumbai-400 051.
....**APPLICANT/S.**

VERSUS

1 The Addl. Chief Secretary, G.A.D.,
State Govt. Mantralaya, Mumbai-32

2 The Under Secretary, G.A.D.,
Mantralaya, Mumbai-32.

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Shri Shankar Chilkarge, Advocate i/b for Shri S.C. Halli, Advocate for the Applicant.
Smt. K.S. Gaikwad, P.O. for the Respondents.

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **15.01.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

16/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.922 OF 2015

DISTRICT: MUMBAI

Dr. Bhupendra U. Bodhankar .. **Applicant**

Versus

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

Shri Shankar Chillarge i/b Shri S.C. Halli, the learned Advocate for the Applicant, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman.

DATE : 15.01.2016.

ORDER

1. Heard Shri Shankar Chillarge i/b Shri S.C. Halli, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant states as follows :-

(a) In paragraph 8 of the rejoinder the applicant had averred that many officers who are either in the same pay scale in which the Applicant is or the officers whose pay scale is less than the Applicant, are permitted to occupy in the 'Y' type quarter.

(b) However, learned Advocate for the Applicant is able to furnish their names.

(c) For this purpose it would be appropriate to incorporate suitable averments by amending the O.A..

3. Learned Advocate for the Applicant prays for leave to amend the O.A. and the rejoinder be struck off.

4 In view that leave to amend is granted, the rejoinder at Exh. 4 needs to be struck off and removed from paper book.

5. Amended O.A. be served on the Respondents within one week from today.

6. Reply to amend the O.A. e filed on or before 29.01.2016.

7. Learned Advocate for applicants prays for *ad interim* relief till next date.

8. In view of the plea of Applicant that officers in his scale of pay are housed in 'Y' type quarters, till contrary is shown, the applicant can be protected. Hence, till next hearing ad interim relief in terms of prayer clause (a) and (b) is granted.

9. S.O. to 10.02.2016.

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

prk

TRUE COPY
16/1/2016
Asstt. Registrar / Research Officer
Administrative Tribunal
Mumbai

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 205 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 18 JAN 2016

M.A. No. 383/2015 IN O.A. ST. No. 636/2015.

1. Shri Sakharam K. Ambekar & 01 Ors.,
C/o. Shri A.V. Shinde, Advocate for the Applicants.
Add. O/at. Gulestan Bldg., 3rd Floor, CAT, Bar Association G.T. Road,
Fort, Mumbai-01.

....**APPLICANT/S.**

VERSUS

1 State of Maharashtra, Through the Secretary, Department of Food and Civil Supplies, Mantralaya, Mumbai-32.

2 The Collector, Ratnagiri District, Ratnagiri-415612.

3 The Commissioner (Supply) Konkan Division, Konkan Bhavan, Navi Mumbai.

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Shri A.V. Shinde, Advocate for the Applicants.
Ms. N.G. Gohad, P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **15.01.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

16/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI

MISC. APPLICATION NO.383 OF 2015
IN
ORIGINAL APPLICATION ST.NO.636 OF 2015

DISTRICT : RATNAGIRI

Shri Sakharam K. Ambekar & Ors.)**...Applicants**

Versus

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

Shri A.V. Shinde, Advocate for Applicants.

Ms. N.G. Gohad, Presenting Officer for Respondents.

P.C. : R.B. MALIK (MEMBER-JUDICIAL)

DATE : 15.01.2016

O R D E R

1. This Misc. Application seeks condonation of delay.

2. I have perused the record and proceedings and heard Shri A.V. Shinde, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

3. The delay undoubtedly is enormous so to say (8 years or more).

4. Even if that be so, I find substance in the case of the Applicants who are now leading a retired life for last more than a decade. The issue relates to the quantum of pension which in turn relates to whether the earlier services could be counted as regular service. It seems that there were earlier orders passed by this Tribunal in case of similarly placed employees and also the orders made by the Hon'ble High Court in **Writ Petition No.3690/2005 (Shri Anant S. Tambde & 7 others Vs. The Collector and 3 others, dated 19th December, 2006** which was followed by the Bench of the then Hon'ble Chairman of this Tribunal in **OA 426/2006 (Shri Prabhakar S. Bagkar Vs. The State of Maharashtra and Anr., dated 16.3.2007)**. Similarly, in **Writ Petition No.7458/2010 (Devidas B. Borkar and 2 others Vs. The State of Maharashtra and one another, dated 19th July, 2011)** another Division Bench of the Hon'ble Bombay High Court followed **Anant**

Tambde (supra) and granted the same relief. Pursuant thereto, the necessary orders in the form of the G.R. came to be issued on 5th February, 2008 and 5th May, 2012.

5. It is indisputable and was not disputed before me also that the Applicants are so similarly placed as their counterparts in Writ Petitions and the Original Applications referred to hereinabove. However, it appears that the Respondents are so minded as to extend the relief only to those particular Applicants or Petitioners in whose case directions were given by the Hon'ble High Court and by this Tribunal. Somehow or the other, as a model employer, the Respondents do not seem inclined to apply the principles emanating from the binding case law to the similarly placed retired employees while it is the principle that is applicable and in this exclusive class of litigation, the State is not only quite free, but may be even duty bound not to drive its employees or ex-employees to litigation.

6. Be it as it may, in my view, though the delay in this matter appears to be exorbitant in the ultimate analysis, the Applicants are entitled to be extended the relief of at least their matter being heard on merit. They cannot be faulted, if they thought that the Respondents

would act in the manner a model employer should be acting, and therefore, at least in the present set of facts, it cannot be said that the conduct of the Applicant was contumacious and it is not as if they were scheming or moving with a design to take the benefit of something like a lottery. The claim is substantive, and therefore, without getting unduly influenced by the number of years, ultimately the interest of justice must prevail.

7. Therefore, the delay is condoned. The Misc. Application is allowed with no order as to costs. The Applicants and the office of this Tribunal are directed to process the OA further and get it registered, if there is no other office objection and get it placed before the Bench for being dealt with in accordance with law.

sd/-

(R.B. Malik)
Member-J
15.01.2016

Mumbai
Date : 15.01.2016
Dictation taken by :
S.K. Wamanse.
E:\SANJAY WAMANSE\JUDGMENTS\2016\M.A.383.15 in O.A.St.636.15.w.1.2016.doc

[redacted]
16/1/2016
[redacted] Research [redacted]
[redacted] Administrative Tribunal
[redacted]

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 202 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 18 JAN 2016

ORIGINAL APPLICATION NO. 817 OF 2015.

1. Shri Balkrishna S. More, P.I. (Retd.)
Add. Plot No. 83, Sector-26, Pradhikaran, Nigadi, Pune-44.

....**APPLICANT/S.**

VERSUS

1 The State of Maharashtra, Through the Addl. Chief Secretary, Home Dept., Mantralaya, Mumbai-32.

2 The D.G.P., Maharashtra State.

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Shri S.S. Dere, Advocate for the Applicant.
Smt. K.S. Gaikwad, P.O. for the Respondents.

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **15.01.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

16/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.817 OF 2015

DISTRICT: PUNE

Shri Balkrishna S. More .. Applicant

Versus

The State of Maharashtra & Ors. ..Respondents

Shri S.S. Dere, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman.

DATE : 15.01.2016.

ORDER

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant Shri S.S. Dere prays for leave to amend for adding Commissioner of Police, Mumbai and other relevant office as the necessary party.

3. Leave as prayed for is granted. Added Respondents be served by the Applicant.

4. Learned P.O. for the Respondents Smt. K.S. Gaikwad prays for time.

5. Applicant claims to have his mother tongue as marathi as averred in paragraph 6.2 of the O.A..

.P.T.O.

6. Crucial question that arise in this case is reproduced as follows :-

Whether the Applicant is entitled for exemption from passing examination as to proficiency in marathi as prescribed by Rule 4 of Marathi Language Examination, Rule 1987, being a person whose mother tongue is marathi.

7. Steno copy and hamdast is allowed to learned P.O. to communicate this order to the Respondents and to take instructions on the point which is formulated.

8. S.O. to 01.02.2016.

(A.H. Joshi, J.)
Chairman

prk

TRUE COPY
16/1/2016
Asstt. Registrar / Research Officers
Maharashtra Administrative Tribunal
Mumbai

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 190 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 15 JAN 2016

M.A. No. 22/2016 IN O.A. No. 822/2015. With O.A. 822/15.

1. Shri Deepak S. Jagtap,
C/o. Ms. S.P. Manchekar, Advocate for the Applicant.

....**APPLICANT/S.**

VERSUS

1 Shri Niteen K. Sonawane & 03 Ors. C/o. Ms. S.P. Manchekar,Advocate for the Applicants. (Ori. Appli.)

2 The State of Maharashtra, Through the Principal Secretary, Higher and Technical Education Department, Mantralaya, Mumbai-32.

3 The Director of Vocational Training & Education, State of Maharashtra 3, Municipal Corporation Road, Post Box No. 1967, Near Cama Hospital, Mumbai-01.

4 The Joint Director of Vocational Training & Education, Nashik Region, Old Agra Road, Nashik-02.

5 The Principal, Govt. I.T.I., Chandwad, Tal. Chandwad, Dist. Nashik.

6 The Principal, Govt. I.T.I., Peth, Dist. Nashik.

7 The Principal, Govt. I.T.I., Surgana, Dist. Nashik. (Res.No.2 to 7- Ori. Resp.)

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***12th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Ms. S.P. Manchekar, Advocate for the Applicant.
Shri A.J. Chougule, P.O. for the Respondents.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **12.01.2016.**
15-01-2016.

ORDER : Order Copy Enclosed/ Order Copy Over Leaf.

15/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

(13)

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

M.A.22/2016 in O.A.822/15

Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

The Applicant hereof seeks to get impleaded as party Applicant to the OA claiming that his case is exactly similar to that of present Applicants to the OA. Mr. Chougule, the learned P.O. in fact seeks time to file Affidavit-in-reply, but for the reasons to be presently mentioned, I decline his request because I see no point in prolonging this MA.

The Applicant of this MA seeking complete parity with the Applicants of the OA seeks impleadment as party Applicant only. The Respondents who have already filed the reply in the OA, in my view, cannot have anything more or different to say in so far as the present Applicant is concerned, but then, even if they wanted to file any further Affidavit-in-reply, they will as a matter of right be entitled to do so. That being the state of affairs, the application is allowed. The Applicant of this MA is allowed to be impleaded to the OA as party Applicant No.5 by a suitable amendment to be effected within two days from today. A consolidated copy of the application after amendment also filed and

3

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 12/1/16 CORAM: ~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~ Hon'ble Shri R. B. MALIK (Member) J APPEARANCE: ~~Shri/Smt.~~ S.P. Manchekar Advocate for the Applicant ~~Shri/Smt.~~ A.J. Chougule ~~CPO~~/P.O. for the Respondents Order passed in the Tribunal's Chamber. ~~Adj. to~~ M.A. is disposed of.	furnished to the learned P.O. The MA is accordingly disposed of with order as to costs. sd/- (R.B. Malik) Member (J) 12.01.2016 (skw) TRUE COPY 15/1/2016 ~~Asstt Registrar~~ / Research Officers Maharashtra Administrative Tribunal Mumbai

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 15/1/16 CORAM: ~~Hon'ble Shri RAJIV AGARWAL (Vice - Chairman)~~ Hon'ble Shri R. B. MALIK (Member) J APPEARANCE: Shri/Smt. S.P. Manchekar Advocate for the Applicant Shri A.J. Chougule ~~C.P.O.~~ P.O. for the Respondents holding for N.G. Gohad ~~Adj. to~~ order passed on the Tribunal's column. S.O. to 1/2/16. Hamdast [signature]	**O.A.822/2015** Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri A.J. Chougule holding for Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. The Applicant No.5 came to be impleaded to this OA by order dated 12th January, 2016. There was interim order in favour of Respondents 1 to 4 which came to be continued till the next date. Ms. Manchekar now prays for the same interim relief to be granted to the Applicant No.5. I heard Mr. Chougule, the learned P.O. He does not consent to any order in favour of the Applicant No.5, but in the context of the facts such as they are, there can obviously be no discrimination between the Applicants 1 to 4 on the one hand and the Applicant No.5 on the other hand, and therefore, the same interim relief that runs in favour of the Applicants 1 to 4 is also granted to the Applicant No.5 OA adjourned to 1st February, 2016 as before. Hamdast. Sd/- 15.1.16 (R.B. Malik) Member (J) 15.01.2016 (skw)

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[signature] 15/1/2016

~~Asstt. Registrar~~ / Research Officers
Maharashtra Administrative Tribunal
Mumbai

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

DATE : 15/1/16

CORAM : (OIB)

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

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

APPEARANCE :

Shri/Smt. : S. Warke

Advocate for the Applicant

Shri/Smt. K B Bhise

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

Adj. To..... Heard order passed in Tribunal Column. Adj to 7/11/16.

Date : 15.01.2016

C.A. No. 37 of 2013
In
O.A. No. 632 of 2011
(D.B.)

1. Heard Shri S. Warke, learned Advocate for the applicant and Shri K.B. Bhise, learned P.O. for the respondents.

2. Learned P.O. Shri K.B. Bhise states as follows:-

" that the Affidavit of contemnor is received. The Government has relying on the stay order granting by the Hon'ble High Court in W.P.No. 8553/2012 where the judgment of the Tribunal in which the temporary service of the Government servant was counted in ACPs service."

3. In this view of the matter, hearing of Contempt Application can be deferred till hearing of W.P.No.8553/2012.

4. Adjourned till 07.11.2016.

~~(A.H. Joshi)~~ Chairman

(vso)

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

Date : 15.01.2016

C.A. No. 124 of 2013
In
O.A. No. 680 of 2012
(D.B.)

1. Heard Shri V.P. Potbhare, learned Advocate for the applicant and Shri N.K. Rajpurohit , learned C.P.O. for the respondents.

2. Shri V.P. Potbhare, learned Advocate for the applicant states as follows:-

> "That the order passed in O.A.No.680/2012 is stayed by the Hon'ble High Court."

3. In view of the stay by the Hon'ble High Court, hearing of the Contempt Application is adjourned to 14.06.2016 with liberty to circulate before due date.

(A.H. Joshi, J.)
Chairman

(vso)

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 219 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 18 JAN 2016

M.A. No. 579/2015 IN M.A. No. 580/2015 IN O.A. No. 755/2012.

1. Shri Dinesh S. Mujgond, (M.A. Nos. 579 & 580/15 IN O.A. No.755/12)
R/o. 32, Anupum Park, Near Saiful Bus Stop, Solapur-413 004.

....**APPLICANT/S.**

VERSUS

1 The Govt. of Maharashtra, A Secretary of the Higher &Technical Education, Ministry, Mantralaya, Mumbai-32.

2 The Director of Vocational Education and Training, Regional Office, Ghole Road, Pune-5.

3 Ms. Avintika V. Prabhune, R/o.133, Ashirwad Niwas, Surya Nagar, Aurangabad Road, Ahmednagar, Dist. Ahmednagar-4

4 Nilambari B. Kajave, R/o. B-6/103, Policy No.3, Amboli Society, Krishna Nagar,Chinchwad,Pune-19

...RESPONDENT/S

Copy to : The C.P.O. M.A.T., Mumbai.

The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the ***15th*** day *of* ***January, 2016*** *has made the following order:-*

APPEARANCE : Shri N.Y. Chavan, Advocate for the Applicant.
Shri A.J. Chougule, P.O. for the Respondents Nos. 1 & 2.
None for the Respondents Nos. 3 & 4.

CORAM : **HON'BLE SHRI R.B. MALIK, MEMBER (J).**

DATE : **15.01.2016.**

ORDER : (M.A. No. 579/15 IN M.A. No. 580/15 IN O.A. No. 755/12)

Heard Shri N.Y. Chavan, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents 1 & 2. The Private Respondents 3 & 4 have been served. They are not present.

Affidavit of service taken on record. On Mr. Chavan's request, the Applicant is allowed to withdraw the MA 580/2015 with leave to file another application on the same cause of action. But it is made clear that the issue of limitation will be kept open. The MA 580/2015 is accordingly disposed of as withdrawn and as a consequence, MA 579/2015 also does not survive. The same is also disposed of with the liberty as mentioned above.

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

16/1/2016

Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.