

Office Memoranda of Coram.  
nce: Tribunal's orders or  
s and Registrar's orders

Tribunal's orders

Date: 16.08.2019

O. A. No. 1117 of 2017

S.N. Mane

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri Anil Jaiswar, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant, and Shri A.J. Chougale, learned Presenting Officer holding for Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.
2. At the very outset, learned Advocate has pointed out that amount of recovery of Rs.6,46,588/- shown in impugned order dated 06.03.2017 as incorrect as admitted by the Respondents themselves in their reply. He has pointed out that Respondent No. 5 in his reply has stated at page No. 61 that actual amount of recovery comes to Rs.1,54,926/-.
3. Learned Advocate for the Applicant has further pointed out that the Respondents have admitted recovery of Rs.2,30,000/- from the Applicant, in view of Reply of Respondent No. 4 at page 43 and Reply of Respondent No. 5 at page 58.
4. Learned Advocate for the Applicant therefore submits that Respondents themselves need to refund  $(2,30,000 - 1,54,926) = 75,074/-$ .
5. The aforesaid facts needs to be clarified by learned P.O. and if the amount is already recovered more than the amount due then Respondents are required to refund the same.
6. Learned P.O. requested for grant of time so as to take instructions from the Department.
7. Learned P.O. is directed to call the concerned officer from the respective Department to clarify the aforesaid position so that matter can be disposed of on next date.
8. 5.O. to 19.08.2019 as Part Heard.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

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><b>Date: 16.08.2019</b></p> <p><b>M.A. 398 of 2019 with M.A. 481 of 2018 in O. A. No. 842 of 2018 with O. A. No. 842 of 2018</b></p> <p><b>S.A. Patil .....Applicant</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Applicant and his counsel both are absent. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. O.A. 842/19 is filed for Pay and Allowances for the period from 1985 to 1991 along with Application for Condonation of Delay in M.A. 481/18 wherein Applicant has prayed for Condonation of Delay of 05 years and 09 months.</p> <p>3. Today, however, Applicant and his counsel both are absent. They seems not interested in the matter. Hence both M.A.s are dismissed in default and consequently O.A. is disposed of.</p> <p style="text-align: right;">Sd/-  <b>(A.P. KURHEKAR)</b> <b>MEMBER (J)</b></p> <p style="text-align: center;">MMN</p>

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: 16.08.2019

O. A. No. 741 of 2017

V.K. Jagdhane

.....Applicant

Versus

The State of Maharashtra &amp; Ors.

.....Respondents.

1. Applicant and his counsel both are absent. Shri A.J. Chougule, the learned Presenting Officer for the Respondents is present.

2. The matter is for final hearing but Applicant as well as his counsel both are absent. They seem not interested in the matter. Hence O.A. is dismissed in default.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

NMN

Date : 16.08.2019

O.A.No.681 of 2019

S.S. Patil

....Applicant.

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule, learned P.O. for the Respondents No.1 & 2 and Shri C.T. Chandratre, learned Advocate for Respondent No.3.

2. In the present matter challenge is to the transfer order dated 15.07.2019. The Tribunal by order dated 19.07.2019 rejected interim relief with reasoned order.

3. However, today learned Advocate Smt. Punam Mahajan for the Applicant submits that unfortunately husband of the Applicant passed away recently and therefore Applicant intends to make representation to the Respondent No.1 for giving her any suitable posting at Pune on the ground that her children are taking education at Pune and demise of her husband.

4. Applicant is at liberty to make representation to the Respondent No.1 which may be considered on its own merit.

5. Learned Advocate Shri C.T. Chandratre for the Respondent No.3 seeks time to file affidavit-in-reply.

6. In view of the above, adjourned to 30.08.2019.

7. Hamdast and steno copy is granted.

Sd/-

(A.P. Kurhekar)  
Member(J)

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.08.2019</p> <p>O.A.No.787 of 2019</p> <p>R.P. Jadhav &amp; Ors. ....Applicants. Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 30.08.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 30.08.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**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
	<p>Date : 16.08.2019</p> <p>M.A.No.435 of 2019 in O.A.No.787 of 2019</p> <p>R.P. Jadhav &amp; Ors. ....Applicants. Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.08.2019</p> <p style="text-align: center;"><b>O.A.No.759 of 2019</b> (Subject : Representation)</p> <p>B.R. Patil <span style="float: right;">....Applicant.</span> Versus The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"><li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li><li>2. Applicant has approached this Tribunal for directions to Respondent No.2 to consider his representation dated 16.07.2018. As the representation is not responded Applicant has filed the present O.A.</li><li>3. Perusal of record reveals that Applicant has made representation to Respondent No.2 on 16.07.2018 and in pursuance to it Collector, Sangli had also forwarded the proposal to Respondent No.2 for giving due date of promotion in the cadre of Circle Officer. However, no such decision is taken and the matter is still pending.</li><li>4. In view of the above, O.A. needs to be disposed off with suitable directions. O.A. is disposed off with directions to Respondent No.2 to decide the representation dated 16.07.2018 made by the Applicant in accordance with rules within three months from today.</li><li>5. Respondent No.2 shall communicate the decision to the Applicant within two weeks thereafter.</li><li>6. If Applicant is felt aggrieved, he may avail remedy in accordance to law.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**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
	<p>Date : 16.08.2019</p> <p>O.A.No.484 of 2019 with O.A.No.485 of 2019 with O.A.No.486 of 2019 with O.A.No.487 of 2019</p> <p>P.H. Patil (O.A.484/2019) R.P. Patil (O.A.485/2019) D.R. Bhadane (O.A.486/2019) V.M. Honde (O.A.487/2019) .....Applicants. Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri P.G. Kayande, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Shri A.J. Chougule for the Respondents submits that affidavit-in-reply will be filed during the course of the day and copy will be supplied to the other side. Statement is accepted.</p> <p>3. On the request of learned Advocate Shri P.G. Kayande three weeks time is granted for filing rejoinder.</p> <p>4. S.O. to 04.09.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(I)</p> <p>prk</p>



(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

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 : 16.08.2019</p> <p>O.A.No.234 of 2019</p> <p>Dr. V.R. Bhailune ....Applicant. Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri K.R. Jagdale, learned Advocate for the Applicant has filed a leave note.</p> <p>3. Learned P.O. Shri A.J. Chougule for the Respondents has filed affidavit-in-reply on behalf of Respondents. It is taken on record.</p> <p>4. The matter is adjourned to hearing at the stage of admission.</p> <p>5. S.O. to 04.09.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.08.2019</p> <p>O.A.No.786 of 2019</p> <p>V.V. Kadam &amp; Ors. ....Applicants. Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 30.08.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 30.08.2019</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>prk</p>

**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 : 16.08.2019</p> <p>M.A.No.434 of 2019 in O.A.No.786 of 2019</p> <p>V.V. Kadam &amp; Ors. . . . . Applicants. Versus The State of Maharashtra &amp; Ors. . . . . Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.</p> <p>4. Miscellaneous Application is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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

Tribunal's orders

Date : 16.08.2019

O.A.No.795 of 2019  
(Subject : Transfer)

A.R. Jadhavar .....Applicant.  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. L. Patne, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The present O.A. is filed raising grievance that Respondent No.3, Superintendent of Police is not allowing the Applicant to join on the post of Sub Divisional Police Officer, Gadhingalaj, District Kolhapur in terms of the orders issued by the Government on 11.07.2019.

3. However, learned C.P.O. Ms. S.P. Manchekar for the Respondents made a fair statement on instructions from Respondent No.2 (Director General of Police, Mumbai) that the Applicant will be allowed to join his posting as Sub Divisional Police Officer at Gadhingalaj, District Kolhapur forthwith.

4. In view of the statement made by learned C.P.O., learned Advocate submits that the matter be disposed of accordingly.

5. For the aforesaid reasons, O.A. is disposed of.

6. Steno copy and Hamdast is allowed.

Sd/-

(A.P. Kurhekar)  
Member(J)

prk