The State of Maharashtra and others

versus

... Respondent/s ·

(Presenting Officer.....

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

(Aavocate

Tribunal's orders

16.11.2016

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O.A Nos 805, 806 & 807 /2016

Shri R.V Dubey & Ors ... Applicants Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

On last occasion, learned Presenting Officer on instructions from Smt Smita Nivatkar, Deputy Secretary, Women & Child Development Department, has given assurance that all the retirement dues of the Applicants will be settled within a period of one month. Today, an affidavit is filed by Smt Nivarkar, Dy Secretary, stating that dues of the Applicants cannot be settled. Even Provisional Pension of the Applicants have not been settled though, one of the Applicant retired on 31.8.2014.

A show cause notice be issued to Smt Smita Nivatkar, Deputy Secretary, Women & Child Development Department, asking why action under Contempt law may not be taken against her for giving instructions to the learned P.O, which were taken note of by this Tribunal regarding settlement of retiral dues of the Applicant and changing her stand that retiral dues of the Applicants cannot be settled for at least for next six months, misleading this Tribunal.

The matter may be kept for further hearing on 14.12.2016.

Sd/-(Rajiv Agatwal) Vice-Chairman

l

CORAM : Hon'ble Shri. RAHV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

PATE: 16

Advocate for the Applicant Shri Cotto A. J. Cho ceque CROTPIO. Re: the Respondents

Adj. To. 5.0. to 14/12/16 acep

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

Tribunal's orders

M.A. No.450 of 2016 in O.A.826 /2016

Shri Sumit S. Khandekar & Anr.....Applicants

And

2

Integrated Medicine Practitioner Association ... Applicant V/s.

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

Heard Shri M.D. Lonkar, the learned Advocate for the Misc. Applicants, Shri N.K. Rajpurohit, the learned C.P.O. holding for Smt. S. Suryawanshi, the learned P.O. for the Respondents and Shri Amit Hire, the learned Advocate holding for Shri S.S. Dere, the learned Advocate for the original applicant.

By consent, the learned Advocate for the Misc.applicants and original applicant and present applicant intervention application is allowed. Appliants of the Misc. Application be impleaded as party respondent nos.3 and 4 to the O.A. by suitable order to be carried within one week from today. Applicant to do needful. The O.A. be Served as per rules and copy be furnished to the original respondents also.

The O.A. stands adjourned for affidavit-inreply and for additional affidavit-in-reply. S.O to

(vsm)

(R.B. Malik) 16-11 Member

16.11.2016

16/11/2016 DATE : CORAM : shri R.B. Malik (M/) Hoa'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt . M.D. Lowkey

- Advocate for the Applicant for the MISC. Appl. Shri/Smt. H.K. Ray Myrchyt. C.P.O / P.O. for the Respondent/s shri Amit Hive holding forestiss. Dele adv. for the orginal Appl. Adj. To

versus

The State of Maharashtra and others

..... Respondent/s

... Applicants

(Presenting Officer.....)

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

16/11/16

Hon'ble Shri. RAJIV AGARWAL

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

Shritsmi : 15. 5. G-cei Keesa

C.P.O.T.F.O. for the Respondents \$10. 2

(Vice - Chairman)

n les

DATE :

CORAM :

APPEARANCE :

Shri/Sunt - 1

Advocate for the Applicant

Tribunal's orders

O.A.No.1071/2015 <u>With</u> O.A.No.1072/2015

Dr. Ashok P. Misal & Anr.

V/s.

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

Heard Shri J.S. Deshmukh, the learned Advocate for the applicants, Smt. Kranti Gaikwad, the learned Presenting Officer for the respondent No.2 and Shri Vishal Batule, Assistant Desk Officer for M.P.S.C., Respondent No.1.

The submissions of the learned Advocate for the applicants are substantially heard. There is no advocate to represent the M.P.S.C. and, therefore, these O.A.s are required to be adjourned and this adjournment cannot be granted without payment of cost.

The respondent no.1, M.P.S.C. in each one of these two Original Applications shall pay cost of Rs.1,000/- each (Rs.2000/- in all) in these Original Applications on or before the next date.

This Part-Heard O.A.s are now adjourned.

S.O. to 30.11.2016.

Sd/-

Sd/-

(R.B. Malifk) Member (J) 16.11.2016 (Rajfv Agarwal) Vice-Chairman 16.11.2016

(vsm)

Original Application No. of 20

..... App' icant/s

A The Start

DISTRICT

1

(Advocate)

versus

The State of Maharashtra and others

..... Resp ondent/s

(Presenting Officer.....)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'Tribunal's orders
	<u>16.11.2016</u> <u>M.A 404/2016 in O.A No 979/2016</u>
	Shri R.V Ahire Applicant Vs. The State of Maharashtra & Ors Respondents
	1. Heard Shri Vinamra Kopariha a/w Ruturaj Pawar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.
	2 Issue notice before admission made returnable on 14.12.2016.
	3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
DATE: 16 11 16 <u>CORAM</u> : Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri. R. B. MALIK (Member) APPEARANCE: hri/Support Vila Contactor Vila	4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
to Recture and Pareson ivocate for the Applicit ri/Smt. Alls. S. Scare accordents	5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as liruitation and alternate remedy are kept open.
5.0. to 14/12/16.	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. S.O 14.12.2016.
	Sd/-

(Rajiv Agawal) Vice-Chairman

Original Application No. of 20

2

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 Tribunal's orders directions and Registrar's orders 16.11.2016 O.A No 702 /2016 Shri A.R Naik ... Applicant Vs. The State of Maharashtra & Ors... Respondents Heard Shri K.R Jagdale, holding for Shri S.S Dere, learned advocate for the applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents. DATE: 161116 It is seen that short affidavit in reply has been filed on behalf of Respondent no. 4, which CORAM : will be considered in due course. However, to decide this Original Application, it will be Hou'ble Shri. RAJIV AGARWAL (Vice - Chairman) necessary to have affidavit from Respondent no. Non'hle Cherry HALIK (Member) 3. APPEARANCE: ale 12.12. Shri/Smt Learned P.O states that the same will be Advocate for the Applicant filed within two weeks. Shripsme A. J. chocegele. C.P.O/P.O. for the Respondents S.O to 30.11.2016. Adj. To 5.0. to 30/11 Sd/-(Rativ Agarwal) Vice-Chairman Akn

Original Application No.

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of 20

DISTRICT

V(Rajiv Agarwal) Vice-Chairman [PTO.

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..... Applic int/s

(Advocate)

versus

The State of Maharashtra and others

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..... Fespondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>16.11.2016</u> O.A No 952 /2016
	Dr Damodhar B. More Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri J.S Deshmukh, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.
	2 Issue notice before admission made returnable on 14.12.2016.
DATE: 16 11 16	3. Tribunal may take the case for final disposal at this stage and separate notic e for final disposal need not be issued.
Hon 'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon 'ble Shri. B. MAEIK (Member) APPEARANCE: Bhri/Smith, J. S. Deshuuckh Advocate for ise Applicant Bhri. Smith, N. K. Repfuro Lit	4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
dite 5.0. to 14/12/16.	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. S.O 14.12.2016.
	Sd/-

Original Application No.

2

of 20

..... 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

DISTRICT.

16.11.2016

O.A No 820/2016

Shri D.M Diwane Vs. ... Applicant

The State of Maharashtra & Ors... Respondents

Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

Affidavit in rejoinder has been filed. O.A is admitted. Respondents may file sur-rejoinder, if need be.

Place for final hearing on 30.11.2016.

Sd/-

(Rajiv Agarwal) Vice-Chairman

DATE: 16 11

- Adj. Tourthe

0.A. is admit 5.0. +0 30/11/16

CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. L. MALIK (Member) APPEARANCE: Shri/Smine C. A. Boundicesedete Advocate for the Applicant Shri/Smine C. A. Boundicesedete Advocate for the Applicant Shri/Smine M.S. S. Score coordinate C. P.O. P.O. for the Respondents C. P.O. P.O. for the Respondents C. P.O. P.O. for the Respondents

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(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

..... Applicant/s

DISTRICT

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders 16.11.2016 O.A No 840 & 841/2016 Shri S.R Kanojiya & ors ... Applicants Vs. The State of Maharashtra & Ors... Respondents Heard Shri C.T Chandratre, learned advocate for the applicants and Ms Savita Survavanshi, learned Presenting Officer for the Respondents. 16 Learned P.O files affidavit in reply. DATE : CORAM: Learned Advocate Shri Chandratre states that he Hos 'ble Shri. RAJIV AGARWAL does not wish to file rejoinder. (Vice - Chairman) Hon 'ble Shei R MALIK (Member) APPEARANCE drotro hou O.A is admitted. Place for final hearing on Shri/Sert toman 7.12.2016. Advocate for the Applicant 200001 Score -Shri /Smt. + US . S .-C.P.OTP.O. for the Respondents Pepty aden Sd/--Adi Toma 7/12/16 (Rafiv Agatwal) 5.0. +0 Vice-Chairman Akn

Original Application No. of 20

..... Applicant/s

DISTRICT

(Advocate)

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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

 Ife.11.2016
 Ife.11.2016

 Shri H.D Kabre
 ... Applicant

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

 Heard Shri S.B Gaikwad, learned advocate
 for the applicants and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

> Learned P.O files affidavit in reply. Learned Advocate Shri Gaikwad states that he does not wish to file rejoinder.

> O.A is admitted. Place for final hearing on 23.11.2016.

(Řaj∲ Agarwal) Vice-Chairman

Sd/-

DATE: 16 11 116 CORAM :

Hon'ble Shri R RAIIV AGARWAL (Vice - Chairman) Hon'ble Shri R. F. MALIK (Member) APPEARANCE: Shri Sat - 5. B. G. Colleged

Advocate for the Applicant - Shri/Sme . M.S. S. Scerejeenelishi C.P.OTP.O. for the Respondents MO223 Peply Riled 64 -Adj. To... O.A. is admitt 15.0. +0 23/11 Akn

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Original Application No. dender of 20

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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

16.11.2016

O.A No 1002/2016

Shri S.S Chavan ... Applicant Vs.

The State of Maharashtra & Ors... Respondents

None for the Applicant and heard Shri A.J Chougule, learned Presenting Officer for the Respondents.

Affidavit in reply has been filed on behalf of Respondent no. 2. However, considering the issue involved in this O.A, it will be necessary if affidavit in reply is filed on behalf of Respondent no. 1, if necessary, in consultation with other concerned departments.

Learned P.O states that affidavit in reply will be filed on behalf of Respondent no. 1 within four weeks.

S.O to 14.12.2016.

Sd/-(Raljiv Agaktval) Vice-Chairman

DATE: 15/11/16 <u>CORAM</u>: Hoa'ble Shri. RAJIV AGARWAL (Vice - Chairman). Han'ble Shri. R. B. MALIK (Momber) <u>APPEAR ANCE:</u> <u>Shri/Gat - None for the for the Applicant</u> <u>Shri/Gat - None for the Applicant</u> <u>Shri/Gat - None for the Applicant</u> <u>Shri/Gat - A.J. Chocegcale</u> <u>C.P.O.TP.O.</u> for the Respondents <u>A.N.O.2</u>. <u>Adj. To. S.O.</u> to <u>Ly 112/16</u> <u>Many</u>

Original Application No. of 20

1

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

..... Applicant/s

DISTRICT

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, . Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders 16.11.2016 O.A No 571 /2016 Shri C.K Yerunkar ... Applicant Vs. The State of Maharashtra & Ors... Respondents Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Savita Suryavanshi, holding for Smt K.S Gaikwad, learned Presenting Officer for the Respondents. On 29.8.2016, this Tribunal has asked Mrs C.M Kakade, Director, Administration, E.S.I.S. and Shri R.M Pawar, Medical Superintendent, ESIS Hospital, Nasik to file affidavit in reply on the points mentioned in the order. DATE : CORAM : It is seen neither any affidavit in reply has Hon ble She RAJIV AGARWAL been filed on these points by these two persons (Vic- Chairman) nor any affidavit on the issues raised by the Hon ble Shr R. E. MALES (Member) Applicant in the O.A has been filed. APPEARANCE: Shri/Sun G. A. Bandroedekees Learned C.P.O intervenes and assures that the aforesaid persons will remain present on Advocate for the Applicent Friday in this Tribunal. Stri/Smt Ms. S. Score and ans -C.P.O./P.O./for the Respondents S. S. Gaiken S.O to 18.11.2016. (8)1111 +0 Sd/-5.0. (Ragiv Agarwal) Vice-Chairman Akn

[Spl.- MAT-F-2 E.

..... Applicant/s

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

Original Application No.

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

17

(Presenting Officer.....

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

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Tribunal's orders

DISTRICT

Date : 16.11.2016.

C.A.No.101 of 2014 in O.A.No.476 of 2012

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Dr. V.V. Rane

...Applicant

Vs.

The State of Maharashtra & Ors.Respondents

 Heard Dr. V.V. Rane, Applicant in person and Shri
 K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri K.B. Bhise for the Respondents prays for time.

3. Adjourned to 24.11.2016.

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

DATE: 16 11 6 CORAM:

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

APPEARANCE: Shri/Smt. J.J. Rane appl. in Poson

Advocate for the Applicant , Shri /Snt. : 12.K. Ray Puzzhi C.P.O / P.O. for the Respondent/s

Ady To 24/11/K.

prk

ISpl.- 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	'I'ribunal's orders
•	Date : 16.11.2016. C.A.No.120 of 2015 in O.A.No.313 of 2015 Dr. R.S.S.G. AbbasApplicant
방법 그 같은 것을 가지 않는 것을 했다.	Vs.
	The State of Maharashtra & Ors. Respondents 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting
	Officer for the Respondents.
DATE : 16/11/2-016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hen'ble Shri M. Rameshkumar (Member)	 Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :- (a) Corrective steps are in the process and appropriate orders may be issued during the course of the day.
APENARANCE:	(b) Time may be granted.
Shri/Sint: S.f. Manchukey Advocate for the Applicant, Shri/Smt: K.S. Gaikwad C.P.O / P.O. for the Respondent/s	3. In view of the foregoing, adjourned to 07.12.2016. λ
	Sd/-
Adi To 7/12/16.	(A.H. Joshi, J.)

He

prk

Chairman

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

1.1.1.

Original Application No.

of 20

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DISTRICT

..... Applicant/s

(Advocate) . . .

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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 : 16.11.2016. O.A.No.297 of 2015 U.N. Yadav & OrsApplicants Vs. The State of Maharashtra & OrsRespondents 1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.
DATE: 16/11/2016	2. Learned P.O. Ms. N.G. Gohad for the Respondents states as follows :-
CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri _s M: Rameshkumar (Member) A	 (a) Affidavit is ready and will be affirmed. (b) Two weeks time may be granted for filing affidavit.
Arison GA Bandiwaduler	3. Time as prayed for is granted.
Advocate for the Applicant hri/Snt:	4. S.O. to 23.11.2016.
ig to 23/11/16.	(A.H. Joshi, (.) Chairman
	prk

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

Original Application No.

Office Notes Office Me

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of 20

DISTRICT . .

..... Applicant/s

(Advocate)

1

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....

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Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 16.11.2016.
	O.A.No.995 of 2015
	V.K. JagdhaneApplicant
	Vs.
	The State of Maharashtra & OrsRespondents
	1. Heard Shri A.A: Gharte, the learned Advocate for the
	Applicant and Shri K.B. Bhise, the learned Presenting Officer
	for the Respondents.
	2. Learned P.O. Shri K.B. Bhise for the Respondents
	states that copy of affidavit filed by the State is served on
DATE: 16/11/16	the Applicant today.
CORAM:	3. Learned Advocate Shri A.A. Gharte for the Applicant
Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A	states that he wants time to study the reply and, if
APPEARANCE :	necessary, file rejoinder.
Shrijan A.A. Gharate	A Time as proved for is granted
Advocate for the Applicant Shri San K.B. Bho e	4. Time as prayed for is granted.
C.P.O / P.O. for the Respondent/s	5. S.O. to 28.11.2016.
Ag To 28/11/2016.	\land
BE	Sd/-
	(A.H. Joshi∬J) Chairman

prk

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

DATE :

Adı. To ...

CORAM :

Hon'ble Justice Shri A

APPEAR WEE

Hoo'h Shri M. Rameshkumar (Member) A

Shi 5. 5. Sabavarta

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

Shri/Smit: M.K. Ray Purch

9/12/16. Hand

Advocate for the Applicant .

Tribunal's orders

O.A. No.961/2016

Heard Shri G. Sadavarte, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

The learned C.P.O. placed on record a communication from the Director, Health Services, Mumbai, dated 15.11.2016 to the Principal Secretary, Pubic Health Services, Mantralaya, Mumbai.

It is clear that the facts herein are apparently such as to be governed by the judgment of the Division Bench of the Hon'ble Bombay High Court of Nagpur Bench which has been referred to in the said communication.

The Director Health Services, Mumbai has apparently requested the government to make appropriate orders. Now, if the matter has to be decided in terms of order of the Hon'ble High Court there is no reason why there should be any delay.

I direct the Government to take appropriate decision within three weeks from today. The matter be placed before me on 09.12.2016. 16-11-16

(R.B. Malik) Member (J) 16.11.2016

Sd/-

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|Spl.- MAT-F-2 E.

(G.C.P.) J 2260 (A) (50.000-2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAL

Original Application No. of 20 DISTRICT Applicant/s

(Advocate)

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The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

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Chri M. Rameshkumar (Member) A

Sadavar

Hon'ble Justice Shri A. H. Joshi (Chairm

Shri /Sent: H.K. Ray Pyrohit

Adj. To. 9/12/16. Hamder

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

DATE :

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Shrif

CORAM :

APPEARANCE:

Advocate for the Applicant

Tribunal's orders

O.A. No.900/2016

Heard Shri G. Sadavarte, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

The learned C.P.O. placed on record a communication from the Director, Health Services, Mumbai, dated 15.11.2016 to the Principal Secretary, Pubic Health Services, Mantralaya, Mumbai.

It is clear that the facts herein are apparently such as to be governed by the judgment of the Division Bench of the Hon'ble Bombay High Court of Nagpur Bench which has been referred to in the said communication.

The Director Health Services, Mumbai has apparently requested the government to make appropriate orders. Now, if the matter has to be decided in terms of order of the Hon'ble High Court there is no reason why there should be any delay.

I direct the Government to take appropriate decision within three weeks from today. The matter be placed before me on 09.12.2016. 6-11-16 Hamdast.

Sd/-(R.B. Matik) Member (J) 16.11.2016

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

Tribunal's orders

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O.A. No.1066/2016

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt Kranti Gaikwad, the learned Presenting Officer for the Respondents.

The facts are exactly similar to the facts in O.A.No.1064/2016 in which an order was made yesterday. For facilitate, the same order is reproduced herein and the same order shall govern the parties hereto.

"Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

The matter is taken up for consideration of urgent relief. The O.A. is in the state of infancy as of now on the issue of granting relief, the learned advocate submit has alrady been concluded by the judgment of full bench and Division Bench of this Tribunal. If that be so, it appears quite possible that the OA itself can be disposed of early.

I shall grant short date for reply making it clear that the date appointed by me must be followed and next date for reply as well as for hearing depending upon the circumstances either for interim relief or final disposal. It is also made clear that as of today and from now onwards, OA is pending before this Tribunal and whatever steps are taken will be subject to the outcome of this OA.

With this, I direct issuance of notice returnable on 1.12.2016.

Issue notice returnable on 1 .12.2016.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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. Hamdast.

S.O. to 1st December, 2016."

S.O. to 1st December, 2016.

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Sd/-

(R.B. Malik) Member (J) 16.11.2016 16-11-16

DATE: 16[11]2016 CORAM Style R.B. Placik (M) Hon'de Lunder M) R.B. Placik (Chairman)

APPEARANCE :

Shr A-V. Bandi Wood

Shri78en K.S. GalKWag C.P.G. / P.O. for the Respondent/s

Ady. To. 1/12/2016.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	
			Applicant/s
and the second			

(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.913/2016

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

By consent the matter be placed before the Second Division Bench for being heard along with the similar such matters on 21.11.2016.

This O.A. is, in these circumstances $\operatorname{admit}_{1}^{+1}$ and be placed before the Second Division Bench.

S.O. to 21.11.2016.

Sd/-

(R.B. Malik) Member (J) 16.11.2016

DATE :

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

APPEARANCE :

Shrifter A.V. Bandiwadetter

Advocate for the Applicant Shri State H.K. Ray Prodit C.P.O / P.O. for the Respondent/s

A# To 21/11/16

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ISpl.- MAT-F-2 E.

(G.C.P.) J 2260 (A) (50,000–2-2015) ISPL- MA IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20		DISTRICT	
		State State	and the second	Applicant/s
(Advocate	•)	一辆一辆	

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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Tribunal's orders
Date : 16.11.2016. O.A.No.973 of 2015 S.S. SawantApplicant
Vs. The State of Maharashtra & OrsRespondents 1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. It has transpired that Respondents have not filed reply to the amended O.A
3. Learned P.O. Shri A.J. Chougule for the Respondents states that he would take instructions as to how much time he would take for filing reply.
4. Adjourned to 24.11.2016. Sd/- (A.H. Joshi,'JI)

Original Application No.	of 20	DISTRICT	
		Applica	nt/s
(Advocate			

versus

The State of Maharashtra and otners

..... Respondent/s

(Presenting Officer......)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 16.11.2016. O.A.No.47 of 2015	
	R.M. GhogeApplicantVsRespondentsThe State of Maharashtra & OrsRespondents1.Heard Shri C.T. Chandratre, the learned Advocatelfor the Applicant and Shri K.B. Bhise, the learned PresentingOfficer for the Respondents.2.Learned P.O. Shri K.B. Bhise for the Respondents has	
DATE: 16/11/16 CORAM: Hon'ble Justice SI if A. H. Joshi (Chairman) Hon'ble Shri M. R intesticution (Member) A APPEARANCE: Shri/Stat. C. T. Chandret K. Advocate for the A iplicant Shri /Stat. K. B. Bhise C.P.O'/ P.O. for the Responsent/s	 tendered two affidavits. Both are taken on record. 3. Learned Advocate Shri C.T. Chandratre for the Applicant states that he has received copy of affidavits today and wants time to respond. 4. Rejoinder, if any, be filed within four weeks. 5. S.O. to 21.12.2016. 	
Ady To 21/12/2016.	Sd/- (A.H. Joshi, J) Chairman	

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

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versus

138

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.1071/2015 With O.A.No.1072/2015

Shri A.S. Kulkarni ... Applicant

V/s.

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

Heard Shri J.S. Deshmukh, the learned Advocate for the applicants, Smt. Kranti Gaikwad, the learned Presenting Officer for the respondent No.2 and Shri Vishal Batule, Assistant Desk Officer for M.P.S.C., Respondent No.1.

The submissions of the learned Advocate for the applicants are substantially heard. There is no advocate to represent the M.P.S.C. and, therefore, these O.A.s are required to be adjourned and this adjournment cannot be granted without payment of cost.

The respondent no.1, M.P.S.C. in each one of these two Original Applications shall pay cost of Rs.1,000/- each (Rs.2000/- in all) in these Original Applications on or before the next date.

This Part-Heard O.A.s are now adjourned.

S.O. to 30.11.2016.

Sd/-(R.B. Malik)

Member (J)

16.11.2016

(vsm)

(Rajiv Agaiwal) Vice-Chairman 16.11.2016

Sd/-

DATE: 16/11/16 <u>CORAM</u>: Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member) J <u>APFEARANCE</u>: Shri/Son J. S. Destweetch Advocate for the Applicent Shri/Son J. S. Destweetch Advocate for the Respondents (LO. 2. Adj. To: 30/11/16 Part beard PH

COA 1072/15

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

DATE: 16 11/16

Advosets for the Applicant

Shri7Sint : K. S. G

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

Hon'ble Shri. RAJIV AGARWAL

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

(Vice - Chairman)

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Adi To M.A. Les Allowed. R.A. place before appropriate bench.

CORAM :

APPEARAMCE :

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Tribunal's orders

<u>M.A.392/2016</u> <u>in</u> <u>O.A.356/2012</u>

Shri Yogesh V. Papal

Vs.

... Applicant

The State of Mah. & ors.

... Respondents

This is an application for condonation of delay A in bringing application for review of the order dated 27.9.2012 which was infact withdrawn.

We have perused the record and proceedings and heard Ms Sangita Dongare holding for Shri D.S. Pagare, the learned Advocate for the applicant and Smt Kranti Gaikwad, the learned Presenting Officer for the respondents.

The issue of delay has its own peculiar view. It so happened that the applicant withdrew the O.A. however, ultimately it came about that there was some communication gap between his advocate and himself. He did not want to withdraw the O.A. Ultimately, he carried the matter to the Hon'ble High Court in W.P. No. 7114/2015 (Yogesh V. Papal V/s State of Maharashtra, dated 24.8.2016). The Hon'ble High court was pleased to permit withdrawl of that W.P. with an observations that if any application for review was presented before this Tribunal it would be dealt with in accordance with law and it is thus and, therefore, that the present Review Application was moved and to get over hardle of limitation the present application has been moved.

The above discussion would make it quite clear that the occuarance of delay had a lot to do with events including the W.P. above referred to, and, therefore, apart from the principles underlying Section 14 of the Limitation Act even otherwise in the intrest of justice, this application will have to be allowed. The delay is, therefore, condonéd and R.A. be processed appropriately by the applicant and the office of this Tribunal, so as to be placed before the appropriate bench for disposal according to law. No order as to cost.

Sd/-

(R.B. Malik) Member (J) 16.11.2016 (Rafiv Agarwal) Vice - Chairman 16.11.2016

Sd/-

(vsm)