(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 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

DATE: 16/11/17
CORAM: Justice M.T. Joshi
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.: Ms. S. Suryawanshi
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 29/11/17.

O.A. No. 752 of 2017

Shri J.R. Dalvi ... Applicant

Vs.

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

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submit that due to the order passed in Review Application, amendment is necessary in the present application. Liberty to file M.A. is granted.

3. S.O. to 29.11.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

O.A.No. 136 of 2017

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIB MUMBAI

Original Application No. ..... of 20 ..... DISTRICT

(Advocate .....)

versus

The State of Maharashtra and others

(Presenting Officer.....) ..... Respondent/s

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

O.A.No.138 of 2017

Shri H.B. Suryawanshi ... Applicant

Vs.

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

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the applicant and Smt. Archana B.K., the Presenting Officer for the Respondents.

2. Learned Advocate for the applicant seeks time to file application for amendment in view of the earlier order.

3. At the request of learned Advocate, the O.A. is adjourned to 06.12.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM:
Hon'ble Shri. ~~RAJIV AGARWAL~~ Justice M.T. Joshi
(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.O./P.O. for the Respondents
Adj. To 6/12/17.

vsm

P.T.O.

(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 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.No.778 of 2016

Shri R.D. Kamble ... Applicant

Vs.

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

1. None for the applicant. Heard Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. It appears that earlier many occasions, the adjournments have been granted to the applicants.

3. In this circumstances, S.O. to 04.12.2017 either for hearing or for passing necessary orders.

4. S.O. to 04.12.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ None for the Applicant.
Advocate for the Applicant
~~Shri/Smt.~~ None for the applicant
~~C.P.O./P.O. for the Respondents~~
~~Adj. To~~ S.O. to 4/12/17.

vsm

(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 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.No.609 of 2017

Shri S.A. Patil ... Applicant

Vs.

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

1. Heard Party in person and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply.

3. At the request of learned P.O. time to file is granted.

4. S.O. to 29.11.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17

CORAM:

Hon'ble Shri. ~~RAJIV AGARWAL~~ Justice M.T. Joshi
(Vice - Chairman)

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

APPEARANCE:

~~Shri/Smt.~~ : Applicant Inperson.

Advocate for the Applicant

~~Shri/Smt.~~ : Ms. S. Suryawanshi

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

~~Adj. To~~ S.O. to 29/11/17.

vsm

[P.T.O.

(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 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.No.733 of 2017

Shri A.G. Khairnar ... Applicant

Vs.

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

1. Heard Shri C.T. Chandratre, learned Advocate for the applicant and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. Learned P.O. submits that at least two months time is required to complete the process as the file is to be kept before the Hon'ble Minister twice and thereafter the same is to be recommended to the M.P.S.C. for concurrence.

3. In the circumstances, at the request of learned P.O., the O.A. is adjourned to 02.01.2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~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.~~ Ms. S. Suryawanshi
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To~~ Adj. to 2/1/18.

vsm

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. 136 of 20 17 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
DATE: 16/11/17 CORAM: Justice M.T. Joshi 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.~~ : Ms. S. Gaikwad ~~C.P.O./P.O.~~ for the Respondents Adj. To 5/12/17 vsm	**O.A.No. 136 of 2017** **Shri C.D. Panem & Ors. ... Applicants** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Kranti Gaiwkad, the Presenting Officer for the Respondents. 2. Learned P.O. seeks time to file reply. Time granted. 3. At the request of learned P.O., the O.A. is adjourned to 05.12.2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **16.11.2017**

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. 195 of 20 17 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.No.195 of 2017 **Smt. M.P. Kulkarni ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard party in person and Shri A.J. Chougule, the Presenting Officer for the Respondents. 2. Learned P.O. seeks time to file reply. 3. On the request of learned P.O. time to file reply as a last chance is granted. 4. S.O. to 05.12.2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **16.11.2017**

DATE: 16/11/17

CORAM: Justice M.T. Joshi

~~Hon'ble Shri. RAJIV AGARWAL~~

(Vice - Chairman)

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

APPEARANCE:

~~Shri/Smt.~~ : Applicant Inperson.

Advocate for the Applicant

~~Shri /Smt.~~ : A.J. chougule.

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

~~Adj. To~~ S.O. to 5/12/17.

vsm

(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 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.No. 581 of 2017

Shri A.V. Waghmare ... Applicant

Vs.

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

1. Heard Shri S. S. Mishra, the learned Advocate for the Applicant and Smt. Archana B. K., the Presenting Officer for the Respondents.

2. Heard with consent. It appears from the record that since 2014, the concerned respondents are merely ~~considered~~ considering the issue of filing S.L.P. against the petitioner in the Hon'ble Supreme Court and only for that purpose ~~in~~ imparting retiral benefits and deemed date of promotion is stopped.

3. In the circumstances, the concerned respondents are directed to file S.L.P., if any, in the Hon'ble Supreme Court of India within a period of two months, failing which the respondent no.2 is directed to take steps for considering the reliefs sought in the present application within a period of one month thereafter.

4. With this direction, the Original Application is disposed of with no order as to costs.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt. : S.S. Mishra
Advocate for the Applicant
Shri/Smt. : Archana B.K.
~~C.P.O~~/P.O. for the Respondents
Add. To.... O.A. is disposed of.

[P.T.O.

(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 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.No. 362 of 2017

Smt. S.D. Pawale **... Applicant**

Vs.

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

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant. Ms S.S. Suryawanshi, the Presenting Officer for the Respondents 1 to 4 and Ms. Shabana i/b Shri P.S. Pathak, the learned Advocate for the applicant.

2. It appears that there is no force in the application. Learned Advocate for the applicant, however, seeks time to file amendment. In fact, the fact of decision of this Tribunal which is sought to be challenged is already on record even the copy of the said decision is filed on record.

3. Learned Advocate submits inadvertently that the said decision could not be challenged though it is already filed on record.

4. In the circumstances, with the above observations, S.O. to 21.11.2017 for filing amendment application, if any.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Hon'ble Shri. ~~RAJIV AGARWAL~~ Justice M.T. Joshi
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ J.N. Kamble
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
C.P.O / P.O. for the Respondents
~~Adj. To~~ S.O. to 21/11/17.

[P.T.O.

(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 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.No.1007 of 2017

Shri V. H. Shaikh ... Applicant

Vs.

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

1. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that as the promotion ~~has~~ is already granted to the applicant, the applicant is not pressing for the said relief. He also files on record a true copy of the decision taken by the concerned respondents. Learned Advocate further submits that as the decision of the deemed date of promotion has already been taken, the O.A. may be disposed of with a direction to the concerned respondents to decide the same issue within six month.

3. The submission appears to be reasonable, in the circumstances, the O.A. is disposed of without any order as to costs on the line of the above submission.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble Shri. RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ L.S. Deshmukh
Advocate for the Applicant
~~Shri/Smt.~~ A.J. Chougule
~~C.P.O~~ P.O. for the Respondents
~~Adj. To.~~ O.A. is disposed of.

vsm

(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 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.No.164 of 2016

Shri V.V. Londhe ... Applicant

Vs.

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

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the applicant and Smt. Kranti Gaiwkad, the Presenting Officer for the Respondents.

2. Learned P.O. for the respondents files a communication dated 15.11.2017 received to her from the concerned respondents. It would show that the request for grant of deemed date of promotion is ultimately refused.

3. In the circumstances, the Original Application will have to be heard on merit.

4. S.O. to 13.03.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Justice M.T. Joshi
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. : K.S. Gaikwad
C.P.O / P.O. for the Respondents
Adj. To S.O. 13/3/18

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

O.A.No. 879 of 2017

Shri A. N. Balip **... Applicant**

Vs.

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

1. Heard Shri D.B. Khaire, the learned Advocate for the Applicant and Smt. Archana B.K.m the Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply. It should be note that the issue in the present application is fully covered by the decision of this Tribunal as well as the Hon'ble High Court and the decisions of the Hon'ble Supreme Court in **State of Punjab & Ors. V/s. Rafiq Masih: (2015) 4 SCC 334 and Shyam Babu Verma & Ors. V/s. Union of India & Ors. : (1994) 2 SCC 521.**

3. In the circumstances, it is not more res-integra that when the employee is imparted any financial benefits without any misrepresentation being made by him, the recovery from the pensionary benefits late on cannot be recovered.

4. In the circumstances, the Original Application is allowed without any order as to costs. The impugned decision of the respondents directing recovery from the pensionary benefits is hereby quashed and set aside. Pensionary benefits be imparted at the earliest or in any case within a period of three months.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM:
Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri D.B. Khaire
Advocate for the Applicant
Smt. Archana B.K.
P.O. for the Respondents
~~Audio~~ O.A. is allowed.

Vsm

(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 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.No. 873 of 2017

Shri P.J. Ingawale ... Applicant

Vs.

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

1. Heard Shri R.G. Panchal, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the Presenting Officer for the Respondents.

2. It appears that the present application suffers for want of necessary parties though the relief sought of seniority of Constabulary, the employees who are shown senior to the applicant are not joined as respondents.

3. In the circumstances, S.O. to 30.11.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble~~ Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ : R.G. Panchal
Advocate for the Applicant
~~Shri/Smt.~~ : K.S. Gaikwad
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To:~~ S.O. to 30/11/17.

vsm

(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 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.No.99 of 2017

Shri S.R. Shete **... Applicant**

Vs.

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

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. The learned P.O. for the respondents files Affidavit-in-Reply. It is taken on record. Learned P.O. pointed out that para no.3 of the reply shows that leave is already granted.

3. Learned Advocate for the applicant seeks time to take instructions from the applicant in this regard.

4. At the request of learned Advocate, S.O. to 05.12.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt. J.N. Kamble
Advocate for the Applicant
Shri /Smt. A.J. chougule
~~C.P.O./P.O.~~ for the Respondents
Reply filed by R.No. 223.
Adj. To S.O. to 5/12/17.

vsm

(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 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.No.835 of 2016

Shri S.S. Benake ... Applicant

Vs.

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

1. Heard Shri M.V. Thorat, the learned Advocate for the applicant and Smt. Kranti Gaikwad, the Presenting Officer for the Respondents.

2. Heard both the sides. The learned Advocate for the applicant fairly states that the application for correction of date of birth is made at the fag end of the superannuation. Even otherwise the document on record shows that in the record of Grampanchayat on which the applicant places reliance, the name of the child is different.

3. In that view of the matter, there is no force in the matter asking for direction to rectify the date of birth. Therefore, the O.A. is dismissed without any order as to costs.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt.: M.V. Thorat
Advocate for the Applicant
~~Shri~~/Smt.: K.S. Gaikwad
~~C.P.O./~~P.O. for the Respondents
Add. To: O.A. is dismissed.

vsm

(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 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.No. 311 of 2017

Shri S.V. Pawar ... Applicant

Vs.

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. S.O. to 12.12.2017 either for hearing or for passing necessary orders.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE : 16/11/17
CORAM : Justice M.T. Joshi
~~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.~~ : Ms. S. Suryawanshi
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 12/12/17.

vsm

P.T.O.

(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 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.No.735 of 2017

Shri R.R. Koli ... Applicant

Vs.

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

1. Heard Shri M.B. Kadam, the learned Advocate for the Applicant and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. Heard both the sides. The applicant is seeking to set aside the order passed by the Divisional Commissioner where under the delay of 490 days in preferring the departmental appeal against the decision in the departmental enquiry was not condoned and the delay condoned application was dismissed. The applicant had given reasons for the delay that as he was mentally depressed he did not file appeal and even in the meantime he sent a resignation letter.

3. Affidavit-in-Reply is filed by the respondents. Learned P.O. submits that there is no documentary evidence to support the reasons advanced by the applicant.

4. The punishment awarded was to the extent of effecting the carrier of the present applicant permanently and in that view of the matter, if the appeal is itself heard on merit no loss could occur to the Respondents State.

5. The Original Application is allowed with no order as to costs. The decision of the Divisional Commissioner, Exb. 'A', page 10 is set aside. Delay is hereby condoned. The Divisional Commissioner is directed to hear the appeal itself on its own merit as early as possible.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt. : M.B. Kadam
Advocate for the Applicant
Shri/Smt. : Ms. S. Suryawanshi
C.P.O. for the Respondents
Reply filed by Resp. No. 1 & 2
Adj. To: O.A. is allowed.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

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.No. 310 of 2017

Shri N.D. Hotkar ... Applicant

Vs.

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the Presenting Officer for the Respondents.

2. S.O. to 03.01.2018 either for hearing or for passing necessary orders.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
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. : Archana B.K.
C.P.O / P.O. for the Respondents
~~Adj. To~~ S.O. to 03/1/18.

vsm

(G.C.P.) J 2260 (A) (50,000—2-2015)

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.No. 191 of 2017

Shri M.A. Sawant ... Applicant

Vs.

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

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. Learned Advocate for the applicant submits that he will have to file the application for amendment to O.A.

3. At the request of learned Advocate, O.A. is adjourned to 14.12.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ K.R. Jagdale
Advocate for the Applicant
~~Shri/Smt.~~ A.J. chougule
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 14/12/17.

vsm

(G.C.P.) J 2260 (A) (50,000—2-2015)

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

Date : 16.11.2017.

C.A.No.52 of 2017 in O.A.No.15 of 2016

A.J. Thakare **....Applicant.**

Versus

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

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Contemnors No.2 and 3 are called to show cause as to why they should not be saddled with costs of Rs.25,000/- each payable to applicant for failing to reply personal notice given to by Applicant to Contemnors, copies, whereof are at page 31 and 34. Reply be filed on or before 19.12.2017.

3. Steno copy and Hamdast is allowed to learned P.O.

4. Learned P.O. is directed to communicate this order to the Respondents.

5. S.O. to 19.12.2017.

Sd/-

(A.H. Joshi J.)
Chairman

prk

(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 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
DATE : 16/11/17 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A.~~ APPEARANCE : ~~Shri/Smt.~~ : A.V. Bandiwadekar Advocate for the Applicant ~~Shri/Smt.~~ : Archana B.K. C.P.O. / P.O. for the Respondent/s ~~Adj. To~~ Hence, S.O. to 11/12/2017. BJE	**Date : 16.11.2017.** **O.A.No.933 of 2017** **I.M. Shaikh ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. Smt. Archana B.K., the learned Presenting Officer for the Respondents prays for time to consider the stance to be taken in present case. 3. Time as prayed is granted. 4. Hence, S.O. to 11.12.2017. Sd/- **(A.H. Joshi)** **Chairman** prk

[P.T.O.

(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 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

DATE: 16/11/2017
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE:
~~Shri~~/Smt. : Punam Mahajan
Advocate for the Applicant
~~Shri~~/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s
Adj. To 23/11/2017.

16.11.2017

O.A No 917/2017

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

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate for applicant prays for leave to amend for substituting memo of Original Application by doings its precy writing.

3. Leave to substitute memo of O.A, index and synopsis is granted.

4. S.O to 23.11.2017.

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

Akn

(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 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
DATE : 16/11/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : Punam Mahajan Advocate for the Applicant ~~Shri~~ /Smt. : Archana B.K. ~~C.P.O~~ / P.O. for the Respondent/s ~~Adj. To~~ Order accordingly. OA is disposed.	**Date : 16.11.2017.** **O.A.No.633 of 2017** **(Subject : Transfer)** **G.N. Londhe ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. In view that the impugned order of Transfer has been stayed by Government by order dated 24.11.2017, at the request of Applicant, ends of justice would meet if the stay granted by the Government continues till 30.06.2018 i.e. the date of applicant's retirement. 3. Order accordingly. O.A. is disposed. Sd/- **(A.H. Joshi J.)** **Chairman** prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

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

DATE : 16/11/2017

CORAM :

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

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE :

~~Shri/Smt.~~ : Mr. R. Patil

~~Advocate~~ for the Applicant

~~Shri/Smt.~~ : Mr. D. Lonkar Ld. Adv.

~~C.P.O./~~P.O. for the Respondent/s 1 & 2.

Adv S.P. Palshikar for R.3.

Adj. To, By consent adjourned to 30/11/2017.

Date : 16.11.2017.

O.A.No.994 of 2017

R.F. Dhabre **....Applicant.**

Versus

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

1. Heard Shri M.R. Patil, the learned Advocate for the Applicant, Shri M.D. Lonkar, the learned Advocate for the Respondents No.1 and 2 and Shri S.P. Palshikar, the learned Advocate for the Respondent No.3.

2. Shri M.R. Patil, the learned Advocate for the Applicant has placed on record a rejoinder. It is taken on record.

3. Shri S.P. Palshikar, the learned Advocate for the Respondent No.3 prays for adjourning the hearing by one week.

4. Time as prayed is granted.

5. By consent, adjourned to 30.11.2017.

Sd/-

(A.H. Joshi J.)
Chairman

prk

[P.T.O.

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

DATE : 16/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
~~Shri/Smt.~~ : P.H. Mhanvar appl. in person
~~Advocate for the Applicant~~
~~Shri~~ /Smt. : S. Suryavanshi
C.P.O / P.O. for the Respondent/s

Adj. To 20/12/2017.

16.11.2017

O.A No 885/2017

Shri P.H Mhanvar ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri P.H Mhanvar, applicant in person and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer states that the period of suspension of applicant is treated as duty period and difference of pay and allowances would be paid within four weeks.

4. Hence S.O to 20.12.2017.

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

Akn

[P.T.O.

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

DATE: 16/11/2017

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ : M.D. Lonkar

~~Advocate for the Applicant~~

~~Shri~~/Smt. : K.S. Gaikwad

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

~~Adj. To~~ for the reasons stated in O.A. no. 770/17, this O.A. is allowed in terms of prayer 10(a).

16.11.2017

O.A No 767/2017

Shri Mahananda K. Mandhare ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

2. Transfer is challenged on ground Nos 6.4(ii), (iii), (iv) and para No. 6.1

3. It is admitted that Civil Services Board was not consulted.

4. For the reasons stated in O.A no. 770/2017, this Original Application is allowed, in terms of prayer 10(a), which reads as follows:-

> "10(a) this Hon'ble Tribunal be pleased to hold and declare that the order impugned dated 3.8.2017 issued by Respondent No 1 at Exh. 'C' to the present O.A is illegal and bad in law and the same be quashed and set aside with all consequential service benefits in favour of the present Petitioner."

5. Parties are directed to bear own costs.

Sd/-

(A.H Joshi, J)

Chairman

Akn

[P.T.O.

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.No.1071 of 2017

Shri C. A. Shinde ... Applicant

Vs.

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

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms S.P. Manchekar, the Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 04.01.2018.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicants are 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.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

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. Applicants are directed to file Affidavit of compliance and notice.

7. In case notice is not collected within seven 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 04.01.2018.

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

-2-

9. Before filing any affidavit, the concerned respondents are directed to go through the G.Rs. dated 05.04.2003 & 28.02.2007 marked as Exb. 'H' & 'I' page 31 & 32 and to reconsider the decision taken by them in the light of those Government Resolutions. In case, the concerned respondents come to the conclusion that corrective steps are required to be taken then the steps shall be taken and report shall be filed in the present proceeding on the next date.

10. In case, if the respondents come to the conclusion that corrective steps cannot be taken then a short affidavit explaining the reasons be filed on the next date.

11. Considering the urgency in the case, without going into merit, the interim relief as prayed in prayer clause 11(a) is hereby granted.

12. Liberty to move for setting aside the order of interim relief is hereby granted. Hamdast.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble~~ Shri ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ K. R. Jagdale.
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. P. Manchekar
~~C.P.O./P.O.~~ for the Respondents

Adj. To 4/1/18.
Hamdast

vsm

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

O.A.No.208/2017

K.R. Avhad ... **Applicant**
Vs.
The State of Mah. & ors. ... **Respondents**

1. Heard Mr. J.N. Kamble, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

2. Learned Advocate for the Applicant makes a statement that the departmental enquiry has not been started. However, the documents on record filed by the Applicant in fact would show that the departmental enquiry has been started and from Page No.13 onwards, the examination of the witnesses and their cross examination can be seen. In the circumstances, the statement is deprecated.

3. On the other hand, Exh. 'R-1' would show that the report is already submitted (Page No.100).

4. Thus, whatever statements are being made by the learned Advocate are against the record.

6. In view of the fact that the final order may require to be passed in the D.E, the present application cannot be sustained. Now, provisional pension is continued to the Applicant.

7. In the circumstances, the application is without any substance and hence, dismissed with no order as to costs.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

skw

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ J.N. Kamble
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
~~C.P.O / P.O.~~ for the Respondents
~~Adj. To~~ O.A. is dismissed.

(G.C.P.) J 2280(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

O.A.No.41/2017

S.N. Parvardhan ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. S.S. Dere holding for Ms. N.A. Jadhav, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

2. At the request of Mr. Dere, the learned Advocate, S.O. to 21st November, 2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ S.S. Dere holding for N.A. Jadhav.
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
~~C.P.O./~~P.O. for the Respondents
~~Adj. To~~ S.O. to 21/11/17.

skw

(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 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.No. 746 of 2017

Ms. S.S. Dhas ... Applicant

Vs.

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

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms S.P. Manchekar, the Chief Presenting Officer holding for Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Learned C.P.O. submits that the respondent no.2 is reconsidering the case of the applicant in light of the G.R. dated 19.07.2017 and, therefore, she seeks time.

3. In view of the said statement of the learned C.P.O., S.O. to 15.01.2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble~~ Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ K.R. Jagdale
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. P. Manchekar
~~C.P.O./~~P.O. for the Respondents
holding for Ms. S. Suryawanshi
~~Adj. To~~.....
S.O. to 15/1/18.

vsm

(G.C.P.) J 2260 (A) (50,000—2-2015)

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.No.860 of 2017

Shri S.S. Bhosale ... Applicant

Vs.

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

1. Heard Shri D.B. Khaire, the learned Advocate for the Applicant and Ms S. Suryawanshi, the Presenting Officer for the Respondents.

2. The learned P.O. for the respondents files Affidavit-in-Reply. It is taken on record.

3. S.O. to 22.11.2017 for hearing on admission.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17

CORAM: Justice M.T. Joshi

~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri P. B. MALIK (Member)~~

APPEARANCE:

Shri/Smt.: D.B. Khaire

Advocate for the Applicant

~~Shri/Smt.:~~ Ms. S. Suryawanshi

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

Reply filed by A.No.3.

~~Adj. To~~

S.O. to 22/11/17.

vsm

..... 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

M.A. No.396 of 2017
In
O.A.No.82 of 2017

Shri D.K. Khairnar **... Applicant**

Vs.

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

1. Heard Ms Bhavana Khichi holding for Shri A.S. Gaikwad, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Division Bench is not available. In the circumstances, the Misc. Application is disposed of with liberty to circulate the O.A. when the Division Bench is available.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ Ms. Bhavana Khichi holding for A.S. Gaikwad,
Advocate for the Applicant
~~Shri/Smt.~~ Ms. S. Suryawanshi
~~C.P.O./P.O.~~ for the Respondents

~~Adj. To~~ M.A. is disposed of.

vsm

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.No. 1064 of 2017

Smt. Alice Pore & Ors. ... Applicants

Vs.

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

1. Heard Shri M.R. Patil, the learned Advocate for the Applicant and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. Heard both the sides. Both sides agree that instead of deciding the application on merit, the application can be disposed of with a direction to the concerned respondents to complete the process of promotion according to rules to the eligible candidates from the cadre of Group II to Group I within a period of four moths, subject to the decision / direction regarding reservation in promotion.

3. The submissions appears to be reasonable, therefore, the present application is disposed of with no order as to costs.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17

CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. M.R. Patil
Advocate for the Applicant

Shri/Smt. A.J. Chougule
~~C.P.O / P.O.~~ for the Respondents

~~A.P.~~ O.A. is disposed of.

vsm

Date : 16.11.2017.

O.A.No.1062 of 2017

Shri G.A. Palve & Ors. ...Applicants.

Versus

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

1. Heard Shri M.V. Thorat, learned Advocate for the applicants and Ms S. P. Manchekar, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 14.12.2017.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicants are 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.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

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. Applicants are 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 14.12.2017.

9. Without filing any detail Affidavit-in-Reply, the respondent no.2 is directed to submit a report as to within how much period the recommendations are going to be made and if necessary, a short affidavit only to that extent, may be filed.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
Hon'ble Shri B. B. MALIK (Member)
APPEARANCE:
Shri M.V. Thorat
Advocate for the Applicant
Shri/Smt. Ms. S.P. Manchekar
C.P.O./P.O. for the Respondents
Adj. to S.O. to 14/12/17.

..... 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

DATE : 16/11/17
CORAM : Justice M.T. Joshi
~~Hon'ble~~ Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
~~Shri/Smt.~~ : M.V. Thorat
Advocate for the Applicant
~~Shri/Smt.~~ : Ms. S.P. Manchekar
~~C.P.O./P.O.~~ for the Respondents
~~Adj. To~~ : M.A. is allowed.

Date : 16.11.2017.

M.A.No.484 of 2017
in
O.A.No.1062 of 2017

Shri G.A. Palve & Ors. ...Applicants.

Versus

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

1. Heard Shri M.V. Thorat, learned Advocate for the applicants and Ms S. P. Manchekar, learned Presenting Officer for the Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

..... 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.No.430 of 2017

Shri B. D. Kshirsagar ... Applicant

Vs.

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

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

2. The learned P.O. for the respondents files Affidavit-in-Reply. It is taken on record.

3. S.O. to 29.11.2017 for hearing on admission.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17

CORAM: Justice M.T. Joshi

~~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.O / P.O. for the Respondents

~~Adj To~~ S.O. to 29/11/17.

(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.207 of 2017

Shri A. J. More & Ors. **... Applicants**

Vs.

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

1. Heard Shri M.V. Thorat, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the Presenting Officer for the Respondents.

2. The learned P.O. for the respondents files Affidavit-in-Reply. It is taken on record.

3. S.O. to 23.11.2017 for hearing on admission.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble~~ Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ M.V. Thorat
Advocate for the Applicant
~~Shri/Smt.~~ N.K. Rajpurohit
~~C.P.O./~~P.O. for the Respondents
Reply filed by R. No.2.
~~Adj. To~~.....
S.O. to 23/11/17.

[P.T.O.

(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. 423 of 2017

Shri V. D. Zambare ... Applicant

Vs.

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

1. Heard Shri S.B. Deshpande , the learned Advocate for the Applicant and Ms. S. P. Manchekar, the Presenting Officer for the Respondents.

2. Learned P.O. for the respondents seeks time to file reply.

3. Time to file reply is hereby granted.

4. S.O. to 04.01.2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt.: S.B. Deshpande
Advocate for the Applicant
Shri/Smt.: Ms. S.P. Manchekar
C.P.O / P.O. for the Respondents
Adj. To: S.O. to 4/1/18.

vsm

..... 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.No.1055 of 2017

Shri D.A. Patil ... Applicant

Vs.

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

1. Heard Shri M.B. Bharaswadkar, the learned Advocate for the Applicant and Ms S.P. Manchekar, the Presenting Officer for the Respondents.

2. The learned Advocate on instructions from the applicant wants to withdraw the Original Application.

3. Accordingly, the Original Application is allowed to withdraw without any order as to costs.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

DATE: 16/11/17

CORAM: Justice M.T. Joshi

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

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

APPEARANCE:

~~Shri/Smt.~~ : M.B. Bharaswadkar

Advocate for the Applicant

~~Shri/Smt.~~ : Ms. S.P. Manchekar

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

~~Adj. To~~ O.A is allowed to withdrawn.

Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

M.A. No.479 of 2017 In
O.A.No.984 of 2017

Shri R. N. Fulzele& Ors. ... Applicants

Vs.

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

1. Heard Shri A. N. Naikwadi, the learned Advocate for the Applicants and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. Learned P.O. for the respondents submits that he will take instruction form the concerned respondents as to what course of action is proposed in the situation. On his request, S.O. to 27.11.2017 act on hamdast as well as authenticated copy.

3. Issue notice before admission returnable on 27.11.2017.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. Applicants are 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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

7. 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. Applicants are directed to file Affidavit of compliance and notice.

8. 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

9. S.O. to 27.11.2017

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~Hon'ble Shri. R.B. AGARWAL~~
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ : A.N. Naikwadi
Advocate for the Applicant
~~Shri/Smt.~~ : A.J. Chougule
~~C.P.O./~~P.O. for the Respondents
~~Adj. To~~ S.O. to 27/11/17.

VSM

(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. 935 of 2017

Shri S. R. Koli ... Applicant

Vs.

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri A.J. Chougule, the Presenting Officer for the Respondents.

2. At the request of learned P.O., the O.A. is adjourned to 28.11.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

DATE: 16/11/17
CORAM: Justice M.T. Joshi
~~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
~~Adj. To~~ 28/11/17.

vsm

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

DATE : 16/11/17

CORAM : Justice M.T. Joshi

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.O~~ P.O. for the Respondents

~~Adj. To~~ S.O. to 20/11/17.

M.A. No. 337 of 2017
In
O.A.No.35 of 2017

Shri S. A. Adake ... Applicant

Vs.

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

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

2. Learned Advocate for the applicant submits that the Misc. Application filed by the State on the tenability of the present Original Application on the ground of delay is missing.

3. The office is, therefore, directed to note of it and make a submission in this regard on the next date.

4. S.O. to 20.11.2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
16.11.2017

vsm

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

DATE : 16/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/Smt. M.V. Thorat
Advocate for the Applicant
Shri/Smt. S. Suryawanshi
C.P.O / P.O. for the Respondent/s

Adj. To 8/1/2018

Date : 16.11.2017.

M.A.No.485/2017 in R.A.No.22/2017 in O.A.No.235/ 2017
with
R.A.No.22/2017 in O.A.No.235/ 2017

V.V. Chavan **....Applicant.**

Versus

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

1. Heard Shri M.V. Thorat, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 08.01.2018.

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 O.A.. 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.

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 seven days or service report on affidavit is not filed three days before returnable date, Miscellaneous Application and Review Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 08.01.2018.

Sd/-

(A.H. Joshi(J))

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
DATE : 16/11/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. J.N. Kamble Advocate for the Applicant Shri/Smt. S. Suryawanshi C.P.O. / P.O. for the Respondent/s ~~Adj.~~ To. CA is disposed.	**Date : 16.11.2017.** **C.A.No.40 of 2017 in O.A.No.76 of 2015** **S.V. Kasare ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. Applicant's case is substantially satisfied. 3. In case some issues remain applicant shall be free to agitate the issues / demands as advised and in accordance to law. 4. Contemnor No.2 has tendered apology. It is taken on record. Circular showing measures for avoiding recurrence of neglect to the orders of Tribunal, is also placed on record. 5. With liberty as indicated, C.A. is disposed. Sd/- **(A.H. Joshi J)** **Chairman** prk