

ORIGINAL APPLICATION NO.466 /2020

(Shri Niteshkumar Balaram Bololu Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Learned Advocate for the Applicant on written instruction received from the Applicant who is present in court states that the Applicant is intending to withdraw the O.A. Therefore, she seeks leave of this Tribunal to withdraw the same.

3. Leave as prayed for is granted.

4. The Original Application is disposed of as withdrawn. No order as to costs.

MEMBER (J)

SAS ORAL ORDERS 16.12.2020

ORIGINAL APPLICATION NO.421/2020

(Shri Khudabaksh A. Tadvi Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri Suresh D. Dhongde, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the Applicant has produced the copy of the order issued by Government of Maharashtra dated 23.11.2020. It is taken on record. By this order the Government has directed to recover 6% pension for the period of one year from pension of the Applicant as per provision under Rule 27 of M.C.S. (Pension) Rules, 1982.

3. Learned Advocate for the Applicant submitted that now as the disciplinary proceeding is completed and punishment is awarded, the Respondents are liable to release the retirement benefits.

4. Learned P.O. submitted that reasonable time may be granted to the Respondents to comply the order.

5. In view of above circumstances, I direct that the Respondents shall release all retirement benefits to the Applicant. This direction be complied within three months from the date of this order. Original Application stands disposed of. No order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO.367 /2020
(Shri Manoj B. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Learned P.O. has filed letter received from Residential Deputy Collector, Ahmednagar dated 15.12.2020. It is taken on record. Now the Collector, Ahmednagar has passed the order on 15.12.2020 and has directed to reinstate the Applicant in service as Revenue Assistant at Tahasil Office, Akole.

3. It is grievance of the Applicant that subsistence allowance as per Rule 68 of M.C.S.(Joining time, foreign services and payments during suspension, dismissal and removal), Rules, 1981 is not paid.

4. In this regard, directions can be given to the Respondents to pay subsistence allowance during the suspension period as per Rule 68 of M.C.S.(Joining time, foreign services and payments during suspension, dismissal and removal), Rules, 1981.

5. I, therefore, direct the Respondents to comply the Rule 68 of M.C.S. (Joining time, foreign services and

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O.A.367/2020

payments during suspension, dismissal and removal), Rules, 1981 and pay subsistence allowance to the Applicant within a period of one month from the date of this order.

6. Original Application stands disposed of. No order as to costs.

MEMBER (J)

SAS ORAL ORDERS 16.12.2020

O.A.NOS.392, 394, 395 AND 398 ALL OF 2020

(Shri Ramchandra Shinde &Ors. Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicants in all the O.A.s and Smt. Priya R. Bharaswakdar, Smt. Deepali S. Deshpande and Shri I.S. Thorat, learned Presenting Officers for the respondents in respective O.As.

2. Learned P.O. for the Respondents seeks time to file affidavit-in-reply. Time granted.
3. S.O. to 12.01.2021.

MEMBER (J)

SAS ORAL ORDERS 16.12.2020

O.A.NOS.86, 118, 278 AND 421 ALL OF 2019
(Shri Bhimrao S. Pawar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri S.D. Dhongde, learned Advocate for the applicants in O.A.Nos.86,118 & 278 all of 2019 and holding for Smt. Suchita A. Dhongde, learned Advocate for the Applicant in O.A.No.421/2019 and Shri V.R. Bhumkar, learned Presenting Officer for the respondents in all the O.As.

2. Pleadings are complete. S.O. to 12.01.2021 for final hearing along with O.A.Nos.392, 394, 395 & 398 all of 2020.

MEMBER (J)

SAS ORAL ORDERS 16.12.2020

Date : 16.12.2020
M.A.NO.325/2020 IN O.A.ST.NO.332/2020
(Vilas S. Jadhav V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai**

1. Shri Prashant K. Deshmukh Id. Advocate for the applicant and Shri I.S.Thorat Id. PO for respondents, are present.
2. Circulation is granted. Issue notices to the respondents in M.A., returnable on 08.03.2021. The case be listed for admission hearing on 08.03.2021.
3. Tribunal may take the case for final disposal at this stage and a 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 case. 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 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 16.12.2020

O.A. 567/2020

(Rajendra V. Marale V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai**

1. Shri Prashant M. Nagargoje, learned Advocate for the applicant and Shri M.P. Gude, learned P.O. for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 4.3.2021. The case be listed for admission hearing on 4.3.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
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 case. 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 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 16.12.2020

C.P.NO.28/2020 IN O.A.NO.113/2012
(Shri Bhagwat Tulshiram Kadam V/s State of
Maharashtra & Ors.)

Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai

1. Shri K.G. Salunke, Id. Advocate for the applicant and Shri M.S. Mahajan, Id. C.P.O. for respondents, are present.

2. Circulation is granted. Issue notices to the respondents in C.P.No.28/2020, returnable on 10.02.2021. The case be listed for admission hearing on 10.02.2021.

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

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 case. 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 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

Date : 16.12.2020

ORIGINAL APPLICATION NO.560/2020

(Shri Dilip Laxman Bhadake V/s State of Maharashtra & Ors.)

**Per :- Standing directions of Hon'ble
Chairperson, M.A.T., Mumbai**

1. Shri Subhash S. Nade, Id. Advocate for the applicant and Shri V.R. Bhumkar, Id. P.O. for respondents, are present.
2. Circulation is granted. Issue notices to the respondents, returnable on 04.03.2021. The case be listed for admission hearing on 04.03.2021.
3. Tribunal may take the case for final disposal at this stage and a separate notice for final disposal shall not be issued.
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 case. 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 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 as far as possible before the returnable date fixed as above. Applicant is directed to file Affidavit of compliance and notice.

REGISTRAR

ORIGINAL APPLICATION NO. 1037 OF 2019
(Sambhaji B. Wadje Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1038 OF 2019
(Ashok P. Durpade Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1039 OF 2019
(Babu V. Raut Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1040 OF 2019
(Santosh S. Raut Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1041 OF 2019
(Mahadev S. Dugane Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1042 OF 2019
(Shaikh S. Mahetab Vs. State of Maharashtra & Ors.)

WITH

ORIGINAL APPLICATION NO. 1043 OF 2019
(Ashok R. Rode Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri Prashant Deshmukh, learned Advocate for the applicants.

2. The applicants are seeking circulation dated 17.12.2020. The applicants are directed to apply for circulation of these matters in the first week of January, 2021.

MEMBER (J)

M.A. No. 326/2020 in O.A. St. No. 1407/2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

[This matter is placed before the Single
Bench due to non-availability of Division
Bench.]

DATE : 16.12.2020

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicants and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicants have filed the M.A. for permission to sue jointly. As the cause of action for filing of the O.A. to the applicants is same, therefore, leave is granted.

3. Accordingly, the M.A. stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 1407 OF 2020
(Kondabai R. Ghadge & Ors. Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri K.M. Nagarkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 27.01.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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, and the questions such as limitation and alternate remedy are kept open.

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O.A. St. 1407/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 27.01.2021.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 506 OF 2020
(Sudhir G. Dhiware Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri D.R. Irale Patil, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. The applicant is suspended from the service in the month of November, 2020. The applicant is intending to apply for interim relief of reinstatement in service. As this interim relief is a final relief, therefore, unless reply filed by the respondents relief cannot be granted. The respondents are directed to file their reply till first week of January, 2021 and liberty is given to the applicant to circulate the matter.

MEMBER (J)

ORIGINAL APPLICATION NO. 461 OF 2020
(Sahikh Rahim Ameeroddin Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

[This matter is placed before the Single Bench due to non-availability of Division Bench.]

DATE : 16.12.2020

ORAL ORDER :

Heard Shri R.P. Bhumkar, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 5 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 2 to 4.

2. It is submitted that the applicant's pay is not yet been fixed, consequently his regular pension is not fixed. However, the provisional pension is not paid to the applicant.

3. Learned C.P.O. and learned Advocate for respondent Nos. 2 to 4 have submitted that the respondents will release the provisional pension of the applicant within a period of four weeks. The respondents are directed to release the provisional pension of the applicant within a period of four weeks.

4. It is submission of the applicant that vide Annexure A-8 order dated 28.09.2020 is passed by the

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O.A. No. 461/2020

Deputy Executive Engineer, Lift Irrigation Division, Osmanabad to recover the excess payment made to the applicant and this amount is to be recovered from the arrears of 7th Pay Commission. In this regard, till further direction the respondents shall not act on this order.

5. S.O. to 18.01.2021.

MEMBER (J)

KPB ORAL ORDERS 16.12.2020

ORIGINAL APPLICATION NO. 459 OF 2020
(Priti J. Patale Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri Amit S. Savale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 15.01.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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, and the questions such as limitation and alternate remedy are kept open.

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O.A. No. 459/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 15.01.2021.

8. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

KPB ORAL ORDERS 16.12.2020

ORIGINAL APPLICATION NO. 550 OF 2020
(Laxman R. Gaikwad Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 19.01.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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, and the questions such as limitation and alternate remedy are kept open.

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O.A. No. 550/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In the meantime, the respondent No. 2 is directed to take decision on the proposal dated 09.03.2020 (Annexure A-3, paper book page No. 18) for releasing retiral benefits of the applicant.

8. S.O. to 19.01.2021.

9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 558 OF 2020
(Vithal T. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri A.D. Sugadare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Earlier direction given by this Tribunal vide order dated 20.11.2019 to the respondents to decide the representation made by the applicant on 12.06.2019. It is grievance of the applicant that during the General Transfers of the year 2020 decision is not taken by the respondents on the representation made by the applicant.

3. In view of this matter, the respondents are directed to take decision on the representation dated 12.06.2019 within a period of 30 days from the date of this order.

4. Accordingly, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION ST. NO. 1049 OF 2020
(Shankar S. Waghmare Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri A.D. Sugdare, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

2. Issue notices to the respondents, returnable on 19.01.2021.

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

4. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. 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, and the questions such as limitation and alternate remedy are kept open.

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O.A. St. 1049/2020

6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

7. In the meantime, the respondents are directed to take decision on the representation dated 16.09.2019 (Annexure A-4, paper book page No. 14) made by the applicant.

8. S.O. to 19.01.2021.

9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ORIGINAL APPLICATION NO. 763 OF 2019
(Gangadhar A. Kakade Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant, Smt. Deepali S. Deshpande, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri S.B. Mene, learned Advocate for respondent No. 4.

2. The applicant retired from the service on 31.07.2016 on superannuation as Civil Engineering Assistant. As the applicant retired after 1st January, 2016, he was entitled for the benefits of 7th Pay Commission and therefore, the proposal was forwarded by the Assistant Executive Engineer, Nashik to the Secretary, Water Resources Department, Mumbai to revise the pension of the applicant, but no decision is taken. In the present Original Application, the applicant is claiming only relief that the direction be given to the Secretary Water Resources Department, Mumbai to take decision on the proposal dated 27.06.2019 within reasonable time.

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O.A. No. 763/2019

3. In view of this, I pass following order :-

ORDER

1. The respondent Nos. 1 and 2 are directed to take decision on the proposal dated 27.06.2019 (Annexure A-4, paper book page No. 21) forwarded by the Assistant Superintending Engineer, Nashik within a period of two months from the receipt of this order.
2. Accordingly, O.A. stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 252 OF 2020
(Harikishan D. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Miss Preeti R. Wankhade, learned Advocate for the applicant, Shri I.S. Thorat, learned Presenting Officer for the respondent No. 4 and Shri Shamsunder B. Patil, learned Advocate for respondent Nos. 1 to 3.

2. The respondents are directed to pay the amount of G.P.F. to the applicant within a period of four weeks from the date of this order.
3. The applicant is directed to file affidavit as to how much amount he has been actually received till today.
4. S.O. to 19.01.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 290 OF 2020
(Anil Daulat Panpatil Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri V.B. Wagh, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. Learned Advocate for the applicant has submitted that now he is not disputing the impugned order. He has already resumed duty on the transferred post. It is grievance of the applicant that his wife is ill and for her medical aid he has to visit Nandurbar very frequently and in these circumstances, he is facing hardship. The applicant has made representation dated 03.08.2020 (Annexure A-7, page No. 50 of paper book) to the Collector, Nandurbar for request transfer. It is submitted by the applicant that the direction be given to the Collector, Nandurbar to consider the representation of the applicant as per law.

3. In view of this, the respondent i.e. the Collector, Nandurbar is directed to decide the representation dated 03.08.2020 (Annexure A-7, page No. 50 of paper

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O.A. No. 290/2020

book) at the time of General Transfers of the year 2021 and to take suitable decision.

4. Accordingly, the O.A. stands disposed of with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 498/2020
(Shri Devidas L. Ghuge Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri K.B. Jadhav, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. The respondent no. 1 – The Principal Secretary, Tribal Development Department, Mantralaya, Mumbai - is hereby directed to take a decision on the letter dated 6.9.2020 (Annex. A-4 page no. 20 of O.A.) received from the Additional Commissioner, Tribal Development Department, Nashik, within a period of one week from the date of this order.

3. In the circumstances, S.O. to 23.12.2020.

MEMBER (J)

M.A. 295/2020 IN O.A. 77/2020
(Shri Mahesh S. Khedkar Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri Chetan T. Jadhav, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for the respondents.

2. M.A. No. 295/2020 has been filed by the applicant for deleting the name of respondent no. 2 – The Commissioner of Police, Police Commissioner Office, Ahmednagar – from the array of the O.A.

3. On hearing the submissions of both the sides, M.A. No. 295/2020 is allowed and the applicant is permitted to delete the name of respondent no. 2 from the array of O.A.

4. Today, Smt. Deshpande, learned P.O. has filed affidavit in reply on behalf of respondent no. 3 in the O.A. It is taken on record and copy thereof has been supplied to the learned Advocate for the applicant.

5. S.O. to 12.1.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 583/2019
(Shri Bhaskar D. Baviskar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 619/2019
(Shri Arjun R. Pawar Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 620/2019
(Shri Rajendra S. Mali Vs. State of Maharashtra & Ors.)
WITH
ORIGINAL APPLICATION NO. 602/2019
(Shri Bhaskar D. Baviskar & Ors. Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Ms. Preeti R. Wankhade, learned Advocate for the applicants in all these four cases and Shri I.S. Thorat, learned Presenting Officer for the respondents in these four cases.

2. It is admitted position that the regular pension of applicants in all these four O.As. is not sanctioned and they have received the provisional pension till December, 2019 only.

3. In view of this, the respondents are directed to release the provisional pension of the respective applicants from 1st January, 2020 and onwards till releasing of their regular pension and pay them the arrears of provisional pension. The respondents are further directed to comply this order within a period of 30 days from the date of receipt of copy of this order.

4. S.O. to 18.1.2021.

MEMBER (J)

ORIGINAL APPLICATION NO. 557/2020
(Shri Savita S. Jadhav Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)
(This matter is placed before the Single Bench
due to non-availability of Division Bench.)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri A.A. More, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

2. It reveals from the record that the applicant is claiming the relief of getting regular appointment in the Government service and therefore this O.A. should be heard and decided by the Division Bench. The Registrar to comply with this order.

3. Issue notices to the respondents, returnable on 20.1.2021.

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

5. Applicant is authorized and directed to serve on respondent/s intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of the case. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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O.A. NO. 557/2020

6. 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.

7. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.

8. S.O. to 20.1.2021.

9. Steno copy and Hamdast is allowed to both parties.

MEMBER (J)

ARJ ORAL ORDERS 16.12.2020

M.A. 281/2020 IN O.A. 401/2020
(Shri Kishor A. Kadam Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)
DATE : 16.12.2020

ORAL ORDER :

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri V.B. Wagh, learned Advocate holding for Shri V.D. Salunke, learned Advocate for the respondent no. 4.

2. By filing the present M.A. no. 281/2020 the applicant seeks leave of this Tribunal to amend the O.A. as per prayer clause (B) of the M.A. and also wants to place on record certain documents in the O.A.

3. In view of this, M.A. 281/2020 is allowed. Leave as prayed for is granted. Applicant is permitted to amend the O.A. immediately and amended copy of O.A. be supplied to other side.

MEMBER (J)

M.A. 300/2020 IN O.A. 406/2020
(Shri Anil J. Gavit Vs. State of Maharashtra & Ors.)

CORAM : A.D. KARANJKAR, MEMBER (J)

DATE : 16.12.2020

ORAL ORDER :

Heard Shri V.H. Dighe, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent nos. 1 to 3 and Shri Avinash S. Deshmulh, learned Advocate for the respondent no. 4.

2. By filing the present M.A. no. 300/2020 the applicant seeks leave of this Tribunal to amend the O.A. as per prayer clause (B) of the M.A. and also wants to place on record certain documents in the O.A.

3. In view of this, M.A. 300/2020 is allowed. Leave as prayed for is granted. Applicant is permitted to amend the O.A. immediately and amended copy of O.A. be supplied to other side.

MEMBER (J)