IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION 784 OF 2017

DISTRICT : SOLAPUR

Shri Sanjay D. Surve)...**Applicant**

Versus

The Dist. Superintendent of Police & Ors)...**Respondents**

Shri C.T Chandratre, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

CORAM : Shri Justice A.H Joshi (Chairman)

DATE : 17.11.2017

O R D E R

1. Heard Shri C.T Chandratre, learned advocate for the Applicants and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. In this Original Application, applicant's posting/transfer is under challenge. The transfer order is dated 2.8.2017.

3. The order is challenged by the applicant by making averments as follows:-

"(b) Applicant states that there was absolutely no exceptional case, no public interest and no administrative exigencies were cropped up so as to the effect the transfer of the Applicant before completion of his tenure. Therefore, there is absolutely no justified reason for ordering the transfer of the Applicant from Akluj Police Station to Control Room, Solapur.

(c) Applicant states that as per his knowledge and information the Respondent no. 2 was transferred from Pune City to Solapur (Gramin) by the Director General of Police in the month of May 2017. Till then, he was posted at Control Room. Applicant states that for extraneous reasons and i.e. to only to accommodate the Respondent no. 2 in the place of Applicant the said transfer order had been issued. Applicant states that as per his information, in order to get the posting at Akluj Police Station the Respondent no. 2 bring the political pressure on Respondent no. 1. For this reason the orders in question are suffered from malice in fact and malice in law.

(d) Applicant states that though the words like 'temporarily posted' is used in impugned order those orders are transfer orders. These words are used only with the misconceived assumption that Respondent no. 1 can escape from the clutch of compliance of the statutory provision. This Hon. Tribunal on number of occasions held that such orders are transfer orders and it is necessary to issue such orders by observing the provisions of law. The impugned orders are also of this nature and issued under the above wrong impression. Therefore, the orders are bad in law.

(e) It is seen from the order that the order has not been issued by the competent authority. Applicant states that the conditions enumerated in proviso to Section 22N(2) are also applicable i.e. must be in existence for issuing such orders i.e. orders using the words, "for the time being posted/working arrangement/temporary look into'. Applicant states that there was no record before the Respondent No. 1 and PEB to show that such exigency was cropped up to issue the impugned orders. For want of such circumstances and recording it in writing, the impugned orders are suffered from arbitrariness and requires to be set aside.

4. These averments have been replied by filing affidavit in reply. Affidavit is affirmed by Innus Hasan Atar, working as Deputy

Superintendent of Police (H.Q) in the office of Superintendent of Police, Solapur (Rural).

5. The grievances narrated in the pleadings of applicant as regards the provisions of law and non-observance thereof, while passing impugned transfer, are not at all addressed to or dealt with in the affidavit in reply filed for and on behalf of the Superintendent of Police, Solapur.

6. On enquiry, learned P.O states that affidavit is based on para wise comments which were forwarded by the S.P and it was also informed to the learned P.O that these are approved by the S.P.

7. On enquiry, the officer who is present today, Shri Sunil Patange, Senior Clerk in the office of Superintendent of Police, Solapur, states that the affidavit is drafted by the Law Officer.

8. The Law Officers attached to the office of Superintendent of Police is expected to be person with talent which could be able to compete with the talent of the advocates for the applicant. Unfortunately, the proficiency employed and exhibited in the present case by the Law Officer and the contents of the draft affidavit approved by the S.P and affirmed by Dy. S.P are far below the minimum required level of proficiency or a lowest bench mark of minimum requirement quality. This poor level of quality of drafting and that of proficiency in the conduct of legal matters, presents a very pitiable and sorry state of affair.

9. This Tribunal has to note with regret and with no reservation that present is not the first case where affidavit is filed with total lack of minimal ability, much less high proficiency. This Tribunal

is now and then required to adjudicate cases and it is not expected of this Tribunal to exert to train each and every officer who is not capable to understand that the draft of the affidavit which he approves or affirms is not proper and correct.

10. Mostly para-wise remarks are prepared at highest level of Clerical staff and vetted by the Police Officers who day in and day out enforce the law. However, they approved the affidavit without referring to the law.

11. In fact answering/denying an accusation of illegality is a matter of exercise of common sense based on understanding facts and the provisions of law under which power is exercised.

12. It is a mystery as to how this matter of denial/clarification of elementary facts, by exercise of common sense gets neglected.

13. The reason of this mysterious conduct appears to be that the officers of level of S.P do not know the limitations of abilities and lack of needed understanding on the part of his Law Officer and subordinate officers next below him in rank. In this situation choice with S.P is to have the job done from competent officer, outsource the jobs or exert himself. Problem shooting is to be the matter of skill of officers. The fact that he does not have competent staff or officers lack in devotion, quality or training is no excuse for dispensation of filing of proper affidavit.

14. It is very sad that this situation is required either to be witnessed or corrected by the Tribunal now and then relating to the cases arising of various District units, SRP units and even Commissionerates.

15. It needs to be recorded that languages used/employed in some of the affidavits indicates / suggests that the officer filing affidavit does it with resenting attitude as if they feel humiliated for being required to file affidavit in reply and being made accountable for judicial review of administrative action. This attitude in democratic governance needs to be tackled by necessary counselling apart that it needs to be deprecated.

16. Therefore, it would be necessary on the part of the Director General of Police to train the Ministerial staff as well as Executive Staff in Police Department by conducting training as to the manner in which O.A should be read, manner in which reply must be drafter, tested, scrutinized and then filed, and also to train S.Ps and Dy. S.Ps as to manner in which situation as narrated herein before be handled, as well as their counselling for always remaining open, willingly and freely accessible for judicial review of their actions.

17. In order to avoid recurrence of filing of affidavits by various units of the Police establishment either negligently or based on lack of proficiency, it is necessary that training and upgradation of officers at all levels and of ministerial staff at all levels be caused by Director General of Police.

18. For this purpose, Director General of Police is directed as follows:-

(a) He shall call for entire papers of the present case from the office of S.P, Solapur, and then examine the averments in the O.A and examine the reply already filed on behalf of S.P, Solapur, and appraise himself as to its quality.

(b) Director General of Police shall also take all possible measures including many work shops for inculcating and enforcing minimum required training and expertise the staff

at various levels and stages without making any exception for officers at the level of S.P, Addl. S.P, Dy. S.P and even at Commissionerate level of Police, as also of Law Officers at each unit level

19. In order to have response from Director General of Police, hearing is adjourned to 14.12.2017.

20. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.

Sd/-

(A.H Joshi, J.)
Chairman

Place : Mumbai
Date : 17.11.2017
Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2017\Nov 2017\O.A 784.17 Transfer order challenged, Int. order.doc

(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: 17-11-2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : A. A. Desai Advocate for the Applicant Shri /Smt. Ms. S. Suryawanshi ~~C.P.O~~ / P.O. for the Respondent/s order passed in tribunal colum Adj. To..... M.A. is Allowed. O.A. is Restored Sd/-	**Date : 17.11.2017.** **M.A. No. 489 of 2017 in O.A.No. 489 of 2017** **Netaji Vasant Koli ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Shri A.A. Desai, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. Miscellaneous Application No.489 of 2017 is allowed by consent and Original Application No.489 of 2017 is restored. Sd/- (A.H. Joshi) Chairman nmn

[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.489 OF 2017

DISTRICT: **KOLHAPUR**

Netaji Vasant Koli)
At. Ghotawade, Post : Koulav,)
Tal : Radhanagari, District Kolhapur,)
KOLHAPUR 416 211) .. **Applicant**

Versus

1. The State of Maharashtra,)
Through its Secretary,)
School Education, Sports and Youth Services))
Department, Mantralaya, Mumbai.)

2. The Joint Director,)
Sports and Youth Service,)
Central Building,)
Pune 411 001)

3. The Deputy Director,)
Sports and Youth Service, Kolhapur Region)
Central Building, Kasba Bawada Road,)
Kolhapur- 416012.)

4. Mr. Sanjay Shivram Shete,)
Working at 5, Maharashtra, BN NCC)
1ST floor, NCC Bhavan, Shivaji University Campus,)
Kolhapur 416 004)

5. Mr. Raghunath S. Kalikat,)
Shivaji University Campus,)
Kolhapur 416 004.) **..Respondents**

Shri A.A. Desai, the learned Advocate for the Applicant.

Ms. S. Suryawanshi, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 17.11.2017

ORDER

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

2. Applicant is serving as a driver. Applicant has filed this O.A. for the following relief :-

> "a. That pending the hearing and final disposal of the instant Application, this Hon'ble Tribunal be pleased to stay the effect, operation and implementation of the order dated 31.05.2017 passed by the Respondent no.3 bearing No.17-18/435 and 17-18-436 at EXHIBIT-C in the interest of justice."
>
> (Quoted from page 10 of O.A. paper book.)

3. Page 10 of O.A. paper book reveals that it is transferred order of the Government servant in clerical staff to which applicant is no way concerned.

4. During the oral submissions, learned Advocate for the Applicant has made it clear that the Applicant has no intention to challenge, impugned transfer order, however impugned order is cited for showing that discriminatory treatment is given by the Respondents who are the favoured persons, while applicant's request for transfer, based on medical grounds of applicant's father copy whereof is at page 12 of O.A. paper book is kept pending,.

5. This Tribunal is of the considered view that end of justice would meet if the Respondents apply mind and take into account applicant's request during General Transfers in the transfer season i.e. April and May, 2018.

6. It is clarified that this Tribunal has not expressed any opinion on merits and applicant's request be considered by the competent authority on its own merits.

7. Steno copy and Hamdast is allowed is allowed to both. Learned P.O. is directed to communicate this order to the Respondents.

8. In view of the facts and circumstances, narrated hereinbefore O.A. is disposed of with no order as to costs.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

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

17.11.2017

C.A 54/2017 in O.A 173/2017

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

1. Heard Shri K.R Jagdale, learned advocate for the applicant, Shri M.D Lonkar, Special Counsel for Respondent no. 1 and Ms S.P Manchekar, learned Chief Presenting Officer for the Respondent no.2.

2. The case was kept on today's Board to find out as to whether the noticees wish to volunteer to pay costs.

3. Today, learned C.P.O states that the noticees do not wish to volunteer to pay costs.

4. The noticees, namely, Shri J.L Pawra, Joint Secretary, Home Department (Prison), Mantralaya, Shri Prabhakar Sankhe, Section Officer (Desk Officer), Home Department (Prison), Mantralaya, Shri Pravin Deopurkar, Assistant Section Officer, Home Department, Shri Nandkumar Inamdar, Administrative Officer, Pune Prison, Smt Kalpana Zinjurde, Officer Superintendent, Pune Prison and Shri Hemantkumar Ghadge, Senior Clerk, Pune Prison, state that they wish to engage Advocate to contest the notice of show cause of costs and pray to adjourn the case to 21.12.2017.

5. It is reported that the Contemnor No. 2 is on some duty posting and is not available. Learned C. P.O prays for time for Respondent No. 2 for filing reply.

6. In view of the request of the noticees, and by Learned C.P.O time is granted. S.O for reply upto 21.12.2017 for reply.

7. Other noticees named in para no. 4 pray for time to reply show cause notice.

8. It is made clear that they shall not get duty leave to attend the hearing.

Sd/-

(A.H Joshi, J.)
Chairman

Akn

DATE: 17/11/2017
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri /Smt. : M.D. Lonkar spl. Counsel
C.P.O/P.O. for the Respondent/s No.1.
Ms S.P. Manchekar Ld. C.P.O. for
Adj. To... R. No.2.
S.O. to 21/12/2017.

(G.C.P.) J 2200(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 CORAM: Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman) Justice M.T. Joshi ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: ~~Shri/Smt.~~ Mr. S. Talekar, N.S. Metkari, Chetan r. Nagare, Advocate for the Applicant ~~Shri/Smt.~~ K.S. Gaikwad ~~C.P.O./~~P.O. for the Respondents ~~Adj. to~~ S.O. to 21/11/17.	**O.A.No.1070/2017 with OAs.1056, 1057, 1007 & 1052/2017** **Mr. A.R. Avhad & Ors.** ... **Applicants** **Vs.** **The State of Mah. & ors.** ... **Respondents** 1. Heard Mr. S. Talekar, Mr. N.S. Metkari and Mr. Chetan r. Nagare, the learned Advocates for the Applicants and Mrs. K.S. Gaikwad, the learned P.O. for the Respondents. 2. Learned P.O. seeks time to clarify the facts to point out as to whether the present Applicants are considered from Open General Category or Open Female Category, and therefore, to get the merit list accordingly of the main examination. She may file a short Affidavit in this regard. 3. Allowed to withdraw the Affidavit in O.A.1007/2017. 4. Place the matter high on board on 21st November, 2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

(G.C.P.) J 2260(B) (50,000—2-2015)

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 CORAM: Hon'ble Shri. ~~RAJIV AGARWAL~~ Justice M.T. Joshi (Vice - Chairman) ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: Shri/Smt. : M.B. Kadam Advocate for the Applicant Shri/Smt. : Archana B.K. holding for N.K. Rajpurohit ~~C.P.O~~/P.O. for the Respondents ~~Adj. To~~: S.O. to 4/12/17.	**O.A.No.606/2017** **Mr. P.P. Ramteke & Ors. ... Applicants** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard Mr. M.B. Kadam, the learned Advocate for the Applicants and Mrs. A.B. Kololgi holding for Mr. N.K. Rajpurohit, the learned P.O. for the Respondents. 2. Learned P.O. submitted that, in fact file was submitted to the G.A.D but because of certain deficiencies, it is returned. It is now being again resubmitted after corrections. In the circumstances, S.O. to 4th December, 2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.285/2017

Mr. R.K. Padmane ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. C.T. Chandratre, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

2. Learned P.O. seeks time to file Affidavit-in-reply. S.O. to 23rd December, 2017 as a last chance.

Sd/-
(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL~~ Justice M.T. Joshi
(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~~ S.O. to 23/12/17.
as a last chance.

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

O.A.No.912/2017

Mr. S.C. Bhosale
Vs. **... Applicant**
The State of Mah. & ors. **... Respondents**

1. Heard Party in person and Mr. A.J. Chougule, the learned P.O. for the Respondent No.1.

2. Applicant in person placing the amendment to the relief sought in the application. The said amendment is granted. It be carried. Copies be served on the P.O. as well as the copies of the said amendment be also served on private Respondents 2 to 7.

3. Issue fresh notice returnable on 20.12.2017.

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

5. 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.

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 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.

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 and papers be consigned to record.

9. S.O. to 20th December, 2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R.B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ S.C. Bhosale Applicant Inperson.
Advocate for the Applicant
~~Shri/Smt.~~ A.J. chougule
~~C.P.O.~~ P.O. for the Respondents R-1.
~~Adj. To.~~ S.O. to 20/12/17.

(G.C.P.) J 2200(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.812/2017

Mr. R.S. Lodhe ... Applicant

Vs.

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

1. Heard Mr. K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. At the request of learned C.P.O, S.O. to 7th December, 2017 as a last chance. Office objection is kept in abeyance.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

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~~ 7/12/17

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.94/2017

Mr. A.R. Thakur ... Applicant

Vs.

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

1. Heard Mr. M.K. Deshpande, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

2. Learned P.O. files on record a copy of the communication between the Commissioner of State Excise and the Desk Officer, Home Department. The same is taken on record. It shows that the interest on delayed payment is being allowed at the rate i.e. available for deposits in Provident Fund. This appears to be reasonable.

3. Learned Advocate for the Applicant submitted that he will take instructions regarding the same from the Applicant.

4. In the circumstances, S.O. to 4th January, 2018 for taking instructions of withdrawal or of passing necessary orders.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

CORAM: Justice M.T. Joshi

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

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

APPEARANCE:

Shri/Smt. M.K. Deshpande

Advocate for the Applicant

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

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

~~Adj. To~~ S.O. to 4/1/18.

(O.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

DATE: 17/11/17

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

Advocate for the Applicant

~~Shri/Smt.~~ Archana B.K.

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

order passed on the Following column.

~~Adj. To~~

O.A. is Admit.

M.D. Lonkar for

R.No. 326.

O.A.No.1160/2017

Mr. I.M.S. Shaikh ... Applicant

Vs.

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

1. Heard Mr. S.S. Dere, the learned Advocate for the Applicant, Mrs. A.B. Kololgi, the learned P.O. for the Respondents 1 & 2 and Mr. M.D. Lonkar, the learned Advocate for Respondents 3 to 6.

2. Arguable case is made out. Admit. Removed from the Board. Be placed before the Division Bench as and when available.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

(G.C.P.) J 2200(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 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.~~ A.B. Kololgi ~~C.P.O/P.O. for the Respondents~~ ~~Adj. To~~ S.O. to 27/11/17 Dy	**O.A.No.644/2017** **Mr. Shekh I.S.K. Ahmed Shekh ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** 1. None for the Applicant. Heard Mrs. A.B. Kololgi, the learned P.O. for the Respondents. 2. Learned P.O. seeks time to file Affidavit-in-reply. On her request, S.O. to 27th November, 2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

(G.C.P.) J 2260(B) (50,000--2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.339/2017

Mr. V.N. Sonawane ... **Applicant**

Vs.

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

1. Heard Mr. C.T. Chandratre, the learned Advocate for the Applicant and Mr. A.B. Kololgi, the learned P.O. for the Respondents.

2. Upon hearing, it appears that this is a pure case of negligence by the Staff of the concerned Respondent. The concerned Respondent is, therefore, directed to look into the matter, failing which directions for imposing heavy cost from the concerned Respondent/Officer and of recording the same in the ACR of the concerned Officer may be directed.

3. In case, concerned Respondent comes to the conclusion that the claim cannot be granted due to any provision or any G.R. or law, then a short Affidavit explaining the reasons may be filed ~~within a period of one week~~.

4. S.O. to 12th December, 2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

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.~~ : A.B. Kololgi

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

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

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

O.A.No.970/2017

Mr. K.S. Nasiruddin ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. G.L. Deshpande, the learned Advocate for the Applicant and Mr. A.J. Chougule, the learned P.O. for the Respondents.

2. Affidavit-in-reply is filed.

3. Issue notices to the Respondents returnable on 22nd November, 2017.

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

5. 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.

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 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.

8. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

9. S.O. to 22nd November, 2017.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt.: G.L. Deshpande
Advocate for the Applicant
Shri/Smt.: A.J. chougule
C.P.O./P.O. for the Respondents
Reply filed by R.No.4.
Adj. To: S.O. to 22/11/17.

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.1058/2017 with O.As.471 to 475/2017 with O.As 538 to 542/2017 with O.A.544/2017.

Mr. B.B. Pote & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. C.T. Chandratre, the learned Advocate for the Applicants and Mrs. K.S. Gaikwad, the learned P.O. for the Respondents.

2. Admit.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. Be placed for final hearing on 9th January, 2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

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.~~ : K.S. Gaikwad
~~C.P.O / P.O.~~ for the Respondents

~~Adj. to~~ S.O. to 9/1/18.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.971/2017

Mr. G.Y. Patil ... Applicant

Vs.

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

1. Heard Mr. M.V. Limaye, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned P.O. for the Respondents.

2. Issue notice returnable on 10th January, 2018.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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 four weeks. Applicant is 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 and papers be consigned to record.

8. S.O. to 10th January, 2018. In the meantime, interim relief in terms of prayer clause 9(a) is granted until further orders. Hamdast granted.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

CORAM: Justice M.T. Joshi

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

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

APPEARANCE:

~~Shri/Smt.~~ : M.V. Limaye

Advocate for the Applicant

~~Shri/Smt.~~ : Archana B-K.

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

~~Adj. To~~ S.O. to 10/1/18.

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

O.A.No.1073/2017

Mr. R.S. Prasad ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. C.T. Chandratre, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Issue notice returnable on 11th January, 2018.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. In the meantime, interim relief in terms of prayer clause 9(a) is granted until further orders.

9. S.O. to 11th January, 2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17
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. P. Manchekar
~~C.P.O./P.O.~~ for the Respondents
CPO
~~Adj. To~~: 11/1/18.

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.1016/2017

Mr. H.R. Das ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard party in person and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Issue notice returnable on 11th January, 2018.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. S.O. to 11th January, 2018. Office objection ~~are~~ kept in abeyance.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/18
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.P. Manchekar
C.P.O./~~P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 11/1/18.

(G.C.P.) J 2200(B) (50,000--2-2013) [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.993/2016

Mr. A.S. Azami @ S. Nadeem ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. None for the Applicant. Heard Mr. A.J. Chougule, the learned P.O. for the Respondents.

2. It appears that on earlier occasion, either nobody has appeared or time was sought. In the circumstances, as a last chance, S.O. to 3rd January, 2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

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

APPEARANCE:
~~Shri/Smt.~~ : None for the applicant.
~~Advocate for the Applicant~~
Shri/Smt. : A.J. Chougule,
~~C.P.O./~~P.O. for the Respondents

~~Adj.~~ : S.O. to 3/1/18.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

M.A.474/2017 in O.A.No.144/2017 with O.As.154, 576, 624 & 619/2017

The State of Mah. & ors. ... Applicants (Ori. Resps.)

Vs.

Mr. M.N. Jagdale & Ors. ... Respondents (Ori. Applicants)

1. Heard Mr. A.J. Chougule, the learned P.O. for the Applicants (Ori. Respondents) and Mr. M.D. Lonkar, the learned Advocate for Respondent (Ori. Applicant).

2. Learned Counsel for the Applicant submitted that instead of straightway granting the time, in order to monitor the progress, the present OA may be adjourned to one month, so that on that date, the learned P.O. would be able to show as to what progress is made. The submissions are reasonable.

3. In the circumstances, S.O. to 20th December, 2017 for reporting the progress by the learned P.O.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17

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

APPEARANCE:

~~Shri/Smt.~~ A.J. chougule, P.O.
~~Advocate for the Applicant~~

~~Shri/Smt.~~ M.D. Lonkar
~~C.P.O./P.O. for the Respondents~~
ADV.

~~Adj. To~~ S.O. to 20/12/17.

(G.C.P.) J 2260(B) (50,000--2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 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 holding J.N. Kamble. Advocate for the Applicant Shri /Smt. A.J. Chougule. ~~C.P.O.~~/P.O. for the Respondents ~~Adj. To~~ S.O. to 21/11/17.	**O.A.No.125/2017** **Mr. A.H. Dhande ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard Mr. M.B. Kadam holding for Mr. J.N. Kamble, the learned Advocate for the Applicant and Mr. A.J. Chougule, the learned P.O. for the Respondents. 2. Learned P.O. filed on record the order passed by the concerned department which would show that the benefit as sought by the present Applicant ~~has~~ are already granted. The same is accepted and marked as 'X' for identification. 3. Learned Counsel for the Applicant seeks time to seek instructions in this regard. At his request, S.O. to 21st November, 2017 for taking instructions. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.No.355/2017

Mr. D.D. Jadhav ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. R.M. Kolge, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

2. Learned P.O. submitted that the reply is being prepared and it will be filed very soon.

3. S.O. to 22nd November, 2017.

Sd/-
(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

DATE: 17/11/17
CORAM: Justice M.T. Joshi
Hon'ble Shri. ~~RAJIV AGARWAL~~ (Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/Smt.: R.M. Kolge
Advocate for the Applicant
~~Shri/Smt.~~: Ms. S. Suryawanshi
~~C.P.O./~~P.O. for the Respondents
~~Adj. To~~: S.O. to 22/11/17.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 CORAM: Justice M.T. Joshi ~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~ ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: ~~Shri/Smt.~~ R. M. Kolge holding for J. N. Kamble. Advocate for the Applicant ~~Shri/Smt.~~ Ms. S. Suryawanshi ~~C.P.O / P.O.~~ for the Respondents Reply filed by R. No. 182. ~~Adj. To~~ S.O. to 21/11/17.	**O.A.No.629/2017** **Mr. A.H. Dhande ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard Mr. R.M. Kolge holding for Mr. J.N. Kamble, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents. 2. Learned P.O. submitted that in fact, Affidavit is ready and certain process remained to be completed. At her request, S.O. to 21st November, 2017 for filing Affidavit-in-reply. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 17/11/17 CORAM: Justice M.T. Joshi ~~Hon'ble Shri. RAJIV AGARWAL~~ (Vice - Chairman) ~~Hon'ble Shri R. B. MALIK (Member)~~ APPEARANCE: ~~Shri/Smt.~~ G.A. Bandiwadekar Advocate for the Applicant ~~Shri/Smt.~~ Ms. S.P. Manchekar C.P.O / P.O. for the Respondents ~~Adj. to~~ S.O. to 21/11/17.	**O.A.No.839/2017** **Mr. H.P. Pagar ... Applicant** **Vs.** **The State of Mah. & ors. ... Respondents** 1. Heard Mr. G.A. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. P. Manchekar, the learned C.P.O. for the Respondents. 2. Learned C.P.O. files on record a communication received by her. The same is taken on record and marked 'X' for identification. 3. Learned CPO submitted that the impugned order is withdrawn by the Respondents and a communication is received to that effect. 4. Learned Counsel for the Applicant seeks tike to take instructions in this regard. At his request, S.O. to 21st November, 2017. Sd/- **(M.T. Joshi)** **Vice-Chairman** **17.11.2017** skw

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

DATE: 17/11/17

CORAM: Justice M.T. Joshi

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

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

APPEARANCE:

~~Shri/Smt.~~ G.M. Savagave

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.

O.A.No.687/2017

Mr. R.P. Doiphode & Ors. ... **Applicants**
Vs.
The State of Mah. & ors. ... **Respondents**

1. Heard Mr. G.M. Savagave, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Learned C.P.O. seeks time to file Affidavit-in-reply. At her request, S.O. to 4th January, 2018.

Sd/-

(M.T. Joshi)
Vice-Chairman
17.11.2017

skw

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

M.A.315/2017 in O.A.No.687/2017

Mr. R.P. Doiphode & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Mr. G.M. Savagave, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. 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
17.11.2017

skw

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

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

DATE : 17/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
~~Shri/Smt.~~ : C.T. Chandratre
Advocate for the Applicant
~~Shri~~ /Smt. : S.P. Manchekar
C.P.O / P.O. for the Respondent/s

~~Adj. To~~ 20/12/2017.

Date : 17.11.2017.

O.A.No.1068 of 2015

R.A. Awchar ....**Applicant.**

Versus

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

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2017.

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

4 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, 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. In case notice is not collected within three days or service report on affidavit is not filed three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 20.12.2017.

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

prk

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

Date : 17.11.2017.

O.A.No.1069 of 2015

A.M. Sonar **....Applicant.**

Versus

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

1. Heard Shri.C.T. Chandratre, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2017.

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

4 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, 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. In case notice is not collected within three days or service report on affidavit is not filed three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 20.12.2017.

Sd/-

(A.H. Joshi J.)
Chairman

prk

DATE : 17/11/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
~~Shri/Smt.~~ : C. T. Chandratre
Advocate for the Applicant
Shri /Smt. : A. J. Chougule
C.P.O / P.O. for the Respondent/s
Adj. To 20/12/2017.