

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="771 564 998 597">Date: 18.10.2019</p> <p data-bbox="885 641 1437 674">M.A. 570 of 2019 in O. A. No. 189 of 2018</p> <p data-bbox="771 718 1477 829">S.D. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="771 917 1542 1028">1. Heard Shri. K.T. Pawar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p data-bbox="771 1094 1542 1294">2. Learned Advocate for the Applicant submits that he was engaged in hearing of the matter before Hon'ble High Court and therefore he could not remain present. On earlier dates he was attending the matter but on the last he could not reach.</p> <p data-bbox="771 1360 1542 1470">4. In view of submission, the absence of counsel in the matter could be said intentional and it would be appropriate to restore O.A. and to decide on merit.</p> <p data-bbox="771 1537 1542 1603">5. For the aforesaid reasons M.A. 570/19 is allowed with no order as to cost.</p> <p data-bbox="1250 1647 1315 1692">Sd/-</p> <p data-bbox="1144 1736 1372 1813">(A.P. KURHEKAR) MEMBER (J)</p> <p data-bbox="763 1847 820 1880">NMN</p>

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="776 600 1003 636">Date: 18.10.2019</p> <p data-bbox="1019 680 1300 716">O. A. No. 189 of 2018</p> <p data-bbox="776 757 1513 878">S.D. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="776 954 1539 1079">1. Heard Shri. K.T. Pawar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p data-bbox="776 1133 1539 1218">2. This O.A. was dismissed in default on 10.10.2019. It is restored. In view of order passed in M.A. 570/19 today.</p> <p data-bbox="1230 1263 1289 1299">Sd/-</p> <p data-bbox="1143 1339 1370 1415">(A.P. KURHEKAR) MEMBER (J)</p> <p data-bbox="763 1451 812 1478">NMN</p>

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="768 595 992 629">Date: 18.10.2019</p> <p data-bbox="1008 669 1292 703">O. A. No. 523 of 2018</p> <p data-bbox="768 745 1466 779">G.V. ZunjareApplicant</p> <p data-bbox="768 786 857 819">Versus</p> <p data-bbox="768 826 1507 860">The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="768 943 1533 1111">1. Heard Smt. Ujawala Karpe, the learned Advocate holding for Shri S.M. Kamtam, the learned Advocate for the Applicant, and Shri A.J. Chougule with Shri S.D. Dole, the learned Presenting Officer for the Respondents.</p> <p data-bbox="768 1167 1533 1290">2. Today in terms of order passed by this Tribunal learned P.O. has filed Affidavit of S.D.O., Solapur, it is taken on record.</p> <p data-bbox="1230 1294 1414 1335">Sd/- _____</p> <p data-bbox="1146 1379 1373 1447">(A.P. KURHEKAR) MEMBER (J)</p> <p data-bbox="768 1491 813 1514">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p>O. A. No. 664 of 2019</p> <p>B.D. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.B. Gaikwad, the learned Advocate for the Applicant, and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files Affidavit-in-Sur-Rejoinder on behalf of Respondent No.2, it is taken on record.</p> <p>3. On request of learned Advocate for the Applicant the matter is adjourned for hearing at the stage of admission on 06.11.2019.</p> <p style="text-align: center;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p>O. A. No. 154 of 2019</p> <p>S.N. PingaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Applicant as well as Advocate for the Applicant both are absent. Heard Shri A.J. Chougule, the learned Presenting Officer for the Respondents.2. Enough chances are granted to file Affidavit-in-Reply and therefore, I am not inclined to grant further time.3. Matter to proceed for hearing at the stage of admission without Reply.4. Adjourned to 22.10.2019. <p style="text-align: right;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p>R.A. 12 of 2019 in O. A. No. 825 of 2017</p> <p>S.S. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri. R.M. Kolge, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. files Affidavit-in-Reply on behalf of Respondent No. 3.</p> <p>3. On request of learned Advocate for the Applicant, the matter is adjourned for hearing at the stage of admission on 07.11.2019.</p> <p style="text-align: center;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

Date: 18.10.2019

O. A. No. 1008 of 2019

N.V. BhosaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 19.11.2019.

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 Original Application. 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 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 19.11.2019.

Sd/-

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(A.P. KURHEKAR)
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p>O. A. No. 484 to 487 of 2019</p> <p>P.H. Patil R.P. Patil D.R. Bhadane V.M. HondeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.G. Kayande, the learned Advocate for the Applicant, and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant files Affidavit-in-Rejoinder in each matter those are taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission on 16.11.2019.</p> <p style="text-align: center;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p><u>M.A. 573 of 2019 in O. A. No. 929 of 2019</u></p> <p>The State of Maharashtra & Ors. ...Applicants (Org. Resps.)</p> <p style="text-align: center;">Versus</p> <p>S.A. Dhamale ...Resp. (Org. Appl.)</p> <p>1. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Applicant (Org. Respondents.) and Shri G.A. Bandiwadekar, the learned Advocate for the Respondent (Org. Applicant).</p> <p>2. O.A. 929/19 was disposed of by this tribunal on 23.09.2019 with following directions.</p> <p style="text-align: center;"><i>"Respondent is directed to release retrial benefits of the Applicant as per entitlement in Rules and in terms of order passed in D.E. within one month fram today."</i></p> <p>3. Learned C.P.O. submits that GPF, GIS, Leave Encashment have been already paid but gratuity is withheld due to pendency of criminal case. She therefore submits that the order passed by this Tribunal on 23.09.2019 needs to be modified.</p> <p>4. Indeed, what Tribunal directed is to release retrial benefits of the Applicant as per entitlement in accordance to Rules. As such, whatever retrial benefits is due, those are only required to be paid. Therefore, the order dated 23.09.2019 does not require any clarification and the Department is at liberty to pass further appropriate order in accordance to Rules.</p> <p>5. M.A. 573/19 is therefore disposed of.</p> <p style="text-align: right;">n Sd/- (A.P. Kurhekar) Member-J 18.10.2019</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2019</p> <p>O. A. No. 561 of 2019</p> <p>B.S. SankpalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri A.J. Chougule with Shri S.D. Dole, the learned Presenting Officer for the Respondents. 2. In the present O.A. the Applicant has challenged transfer order dated 31.05.2019 hereby he is transferred from Karad to Satara. His grievance is that he had given option of Kolhapur, Panhala, and Karveer but he was transferred to Satara despite vacancy at Kolhapur. 3. Whereas, as per reply Applicant was transferred to Satara considering administrative reason and work load at Satara. 4. Today the matter is for final hearing. 5. Learned P.O. submits that as per instructions from Shri Anil Nathuram Lokhande, District Superintendent of Land Records, Satara. Applicant can be adjusted and transferred to Kolhapur in general transfer of 2020. He therefore submits to dispose of the O.A. 6. Learned Advocate for the Applicant is also ready to wait till general transfer of 2020. 7. At the time of general transfer Applicant had given option of Kolhapur, Panhala, and Karveer. Now Respondent No.2 as shown wiliness to accommodate the applicant at one of the place as per choices given by Applicant stated above. 8. In view of above O.A. is disposed of with directions to Respondent No. 2 to accommodate the applicant either at Karveer, Kolhapur or Panhala in general transfers of 2020. 9. O.A. is disposed of with no order as to cost. <p style="text-align: center;">Sd/- <small>WV</small> (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

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

Tribunal's orders

O.A. No.431 of 2018

Dr. B.D. Sarangkar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant is a Medical Officer working in the establishment of respondent no.3 - Medical Superintendent, Karmala, Solapur. He had proceeded on half pay leave/earned leave/extra ordinary leave from the period of 17.4.2008 to 7.7.2009. The same was sanctioned on 12.5.2015 (Exhibit A page 16 of OA).

3. Today during hearing Ld. Advocate for the applicant tenders a communication dt. 30.5.2017 which mentions that the applicant had approached Lok Ayukta regarding payment of interest thereon. A copy of the same is taken on record and marked 'X' for identification. The said order reads as under:

“आपल्या विषयांकीत तक्रारीस अनुसरून मा. उप लोक आयुक्त यांच्या आदेशानुसार आपणांस असे कळविण्यात येते की, अधिक्षक, उप जिल्हा रुग्णालय, करमाळा यांच्या दि. १५/३/२०१७ च्या अहवालानुसार आपणांस माहे नोव्हेंबर २०१५ ते दि. २१/५/२०१६ या कालावधीची वेतनवाढ फरकाची रक्कम रु. १९,४८,६९३/- देयक रु. १२०, दि. १४/२/२०१७ अन्वये अदा करण्यात आलेली आहे. तसेच आपणांस कळविण्यात येते की, व्याजाच्या रकमेबाबत संबंधीत विभागाच्या वरिष्ठांकडे अथवा शासनाकडे पाठपुरावा करून दाद मागावी.”

4. The applicant thereafter made a representation to Civil Surgeon, Solapur on 7.7.2017. A copy of the same is taken on record and marked 'Y' for identification.

5. Today Ld. Advocate for the applicant submits that this representation made by him may be decided on priority by the respondents.

6. Ld. PO on instructions submits that respondents would be looking into representation on priority and decide the same.

7. Respondent no.3 is directed to bring applicant's representation to the notice of the appropriate authority in the Government for deciding the same. The decision should be taken within three months and communicated to the applicant within two weeks thereafter. OA is disposed off accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
18.10.2019

(sgj)

Date :	18/10/19
Coram :	Hon'ble Shri P. N. Dixit <V/C-A> Hon'ble Shri A. R. Kurthekar <MJ>
Apperance :	
Shri/Smt.	S.S. Dere
Advocate for the Applicant	
Shri/Smt.	K.S. Gaikwad
C.P.O. / P.O for the Respondents.	

Heard
order passed in
Tribunal column.
OA is disposed off
accordingly.

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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
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O.As. No.901, 902, 1010 & 1011 of 2019

R.S. Palkar
M.W. Bhogan
A.G. Bhat
A.B. Sawant ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.D. Sugdare, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants submits that his prayer pertains to recovery against applicants by the respondents. The subject of recovery is subject-matter of SB-2. Registrar is directed to place the above matters before appropriate Bench.

Sd/-

(P.N. Dixit)
Vice-Chairman
18.10.2019

(sgj)

**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 <u>O.A. No.774 of 2019</u>
	<p>T.J. Mashale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.R. Joshi, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that reply by respondents no.1 and 3 is necessary. Ld. PO submits that he has no instructions from respondent no.1. The instructions from respondent no.3 are also awaited. Ld. PO is directed to ensure that reply from respondents no.1 & 3 is filed before the next date.</p> <p>3. S.O. to 11.11.2019 by way of last chance. If there is no submission by 11.11.2019 the matter would be proceeded accordingly.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman 18.10.2019</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.990 of 2019

K.N. Gawade ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.B. Kadam, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 28.11.2019.
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 one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Ld. Advocate for the applicant submits he may be granted leave to add two pages in OA between 72-73 from the judgment of Metropolitan Magistrate, Mumbai. He also seeks leave to bring on record the judgment dated 26.3.2018 of Hon'ble Bombay High Court in Criminal Application No.134 of 2016 regarding the appeal made by the Govt.
9. Leave granted. Amendment be carried out accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
18.10.2019

(sgj)

**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 <u>O.As. No.218 & 219 of 2019</u>
	<p>B.W. Rikame & Ors. A.G. Gavit ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that the matters may be adjourned to 7.11.2019 so that respondents would be able to remain present and clarify the time frame required by them.</p> <p>3. The respondents are accordingly directed to remain present through responsible officer on 7.11.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman 18.10.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No.

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	<p style="text-align: center;"><u>O.A. No.525 of 2019</u></p> <p>Dr. R.B. Nirmale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant is present and his Advocate his absent. Ld. PO submits that she has received instructions from Dr. Warke. She submits that she will file reply within two weeks.</p> <p>3. S.O. to 18.11.2019.</p> <p style="text-align: right;">Sd/- (P.N.' Dixit) Vice-Chairman 18.10.2019</p> <p>(sgj)</p>

(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 <u>O.As. No.904 & 905 of 2019</u>
	<p>C.D. Tikekar A.D. Sorte ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicants and Ms. Ncelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that she has not received instructions though she has informed the respondents accordingly. According to Ld. Advocate for the applicant respondent no.3 is the competent authority for doing the needful.</p> <p>3. Ld. PO is directed to ensure presence of respondent no.3 or responsible officer from this office on 22.10.2019 at 3.00 p.m.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman 18.10.2019</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="760 443 1230 474" style="text-align: center;"><u>R.A. No.13 of 2019 in O.A. No.35 of 2019</u></p> <p data-bbox="662 510 1273 542">Y.L. Dharavane ..Applicant</p> <p data-bbox="743 546 786 577">Vs.</p> <p data-bbox="662 568 1305 600">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="662 631 1338 766">Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. Neclima Gohad, learned Presenting Officer holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="662 788 1338 945">2. Ld. PO on instructions from Ms. Veena Rajendra Kamble, Senior Clerk, Office of respondent no.2 submits that reply would be filed within three weeks. Ld. Advocate for the applicant mentions that respondents may be given four weeks.</p> <p data-bbox="662 981 1208 1012">3. S.O. to 22.11.2019 by way of last chance.</p> <p data-bbox="1166 1048 1230 1079" style="text-align: right;">Sd/-</p> <p data-bbox="1091 1102 1263 1191" style="text-align: right;">(P.N. Dixit) Vice-Chairman 18.10.2019</p> <p data-bbox="678 1214 734 1245">(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p style="text-align: center;"><u>O.A. No.965 of 2019</u></p> <p>V. J. Pagare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate on instructions from the applicant he submits that he needs to add additional facts on record. At his request adjourned to 22.11.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman 18.10.2019</p> <p>(sgi)</p>