

versus

The State of Maharashtra and others

..... Respondents

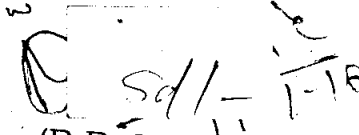
(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
<p align="center">C.A.61/2016 in O.A.488/2016</p>	
<p>Shri M.K. Bahaddarpure ... Applicant Vs. The State of Mah. & ors. ... Respondents</p>	
<p>Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. N. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p>	
<p>This application for contempt arises in the context of an interim order made by the Hon'ble Chairman on 9.6.2016. The Paragraph 8 thereof read in the context of Prayer Clause 10(a) for which interim relief was granted would read as follows, if read together.</p>	
<p>"8. Therefore, from whatever has, on the face, Applicant has made out the case for grant of interim relief. Hence, interim relief is granted in terms of prayer clause at paragraph 10(a).</p>	
<p>The paragraph 10(a) of prayer clause is reproduced herein below for the sake of ready reference and convenience -</p>	
<p>"10(a) That this Hon'ble Tribunal be pleased to stay the effect and operation of the impugned transfer orders dated 31/5/2016, qua the Petitioner and Respondent No.3, and direct Respondent No.2 to allow the Petitioner to work as Senior Police Inspector Bundgarden Police Station, Pune City</p>	
<p>The fact that the Respondent No.3 i.e. Kulkarni is at present working as Senior Police Bundgarden Police Station is not seriously disputed. The learned C.P.O. on instructions from Mr. Roshrao Suryawanshi, Deputy Commissioner of Police, Head Quarter-2, Pune informs that as between the Applicant and the</p>	

Respondent No.3, the Respondent No.3 being senior is working as Senior Inspector and he also refers me to a judgment in OA 722/2011 (Shri D.M. Kurulkar Vs. The State of Maharashtra and 3 ors., 20.3.2013 rendered by the Hon'ble Vice-Chairman.

Now, in so far as governing order in this particular matter is concerned, it is clear that the interim order in terms of Prayer Clause 10(a) has been issued and the same is current. In spite of this clear position, the order has not been given effect to in the sense that the 3rd Respondent Shri Kulkarni continues to be holding the post of Senior Inspector of Bundgarden Police Station while the Applicant is working in the same Police Station. The order has clearly been violated. If there is anything other than this, it could be explained in a properly filed Affidavit-in-reply, but once a notice of contempt dated 2nd July, 2016 was served on the Commissioner of Police, Pune City and also on the Additional Chief Secretary, Home Department, there was sufficient time for compliance. I am, therefore, satisfied that a Contempt Notice needs to be issued.

Issue Contempt Notice returnable on 2nd August, 2016. It be registered as a Contempt Notice.


(R.B. Malik)
Member (J)
19.07.2016

(skw)

DATE: 19/7/16

~~_____ (an)~~
R.B. Malik

Uman Mahajan

H.K. Rajpurohit...

Issue contempt notice
returnable on 2nd August, 2016.



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____
Applicant/s

(Advocate

versus

The State of Maharashtra and others

Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

O.A.699/2016

Shri I.A. Bhise ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

It will not be appropriate at this stage to make any detailed comments on the pith of the matter. However, it does appear ex-facie that the events have so happened as to create a situation whereby some of the candidates could be saved from the axe while those like the Applicant had to bear the brunt and in this connection, the report of the Director of Sports, a copy of which is at Page 34(37) of the paper book is very pertinent. I, therefore, make it very clear that the Respondents must come forward with a proper Affidavit on the next date. The liberty to seek interim relief is reserved for the Applicant.

Issue notice returnable on 2.08.2016.

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

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

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

Tribunal's orders

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 02.08.2016. The learned P.O. do waive service.

Sd/-
19.7.16
(R.B. Malik)
Member (J)
19.07.2016

(skw)

DATE: 19/7/16

CORAM:

Hon'ble (Chairman)
Hon'ble R.B. Malik (Member) ★ J

APPEARANCE:

Shri S.S. Dere

Advocate

Shri H.G. Fohad
C.P.O./Respondent/s

Adj. To: 2/8/16

H.E.

O.A.710/2016

Shri A.C. Sonwane

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 02.08.2016.

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

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

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.

The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 8th August, 2016. The learned P.O. do waive service.

Sd/-

(R.B. Malik)

Member (T)

19.07.2016

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Application No. _____ of 20 _____

DISTRICT _____

Applicant/s

versus

The State of Maharashtra and others

Respondent/s

Presenting Officer.....)

Proposals, Office Memoranda of Coram, Appearance, Tribunal's orders or objections and Registrar's orders	Tribunal's orders
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O.A.275/2016

Shri R.S. Katkar ... Applicant

Vs.

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

Heard Shri B.A. Bandiwadekar the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Affidavit-in-Rejoinder is taken on record. Admit. Adjiourned for hearing to 9th August, 2016.

Sd/-

(R.B. Malik)
Member (J)
19.07.2016

(skw)

_____ H. Joshi (Chairman)

_____ R.B. Malik (Member) A J

_____ B.A. Bandiwadekar

_____ N.G. Gohad

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Application No.

of 20

DISTRICT

..... Applicant/s

versus

The State of Maharashtra and others

..... Respondent/s

Presenting Officer.....

Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Directions and Registrar's orders	Tribunal's orders
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O.A.539/2016

Shri D.S. Adkmol ... Applicant

Vs.

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

Heard Shri N.P. Dalvi, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Ms. Gohad seeks further adjournment saying that she has not received instructions in this matter. This is a case where the Applicant has been dismissed from service and in that context, sufficient time has been given for the Affidavit-in-reply and if the Respondents have not even cared to give instructions to the learned P.O, I do not think any further indulgence needs to be shown. The OA is, therefore, formally admitted and kept for hearing making it clear, however, that on the next date when the matter is taken up for hearing, if the Affidavit-in-reply ~~will be~~ filed, it will be taken on record but no adjournment will be given.

In this set of circumstances, therefore, a fixed date is given as 9th August, 2016 and it be placed before the 2nd Bench. Hamdast.

Sd/-

(R.B. Malik)
Member (J)
19.07.2016

(skw)

.....

..... Joshi (Chairman)

R.B. Malik (Member) A-1

..... Dalvi

..... Gohad

..... Hamdast

MBE

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

versus

The State of Maharashtra and others

..... Respondent/s

Presenting Officer.....)

Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Decisions and Registrar's orders	Tribunal's orders
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O.A.267/2016

Dr. S.M. Nilange & 27 Ors. ... Applicants

Vs.

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

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

Affidavit-in-Rejoinder is taken on record. Admit. Liberty to mention granted.

Sd/-

(R.B. Malik) 11/1/16
Member (J)
19.07.2016

(skw)

19/7/16

Smt. H. Joshi (Chairman)

R.B. Malik (Member) A T

Punam Mahajan

A.J. Chougule

Presenting Officer/s

Liberty to mention granted.

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**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: <u>19/7/16</u></p> <p>CORAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member)</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>S.S. Dere holding</u> <u>for P.S. Sepkale</u> Advocate for the Applicant</p> <p>Shri/Smt. Ms. N.G. Gohad C.P.O. / P.O. for the Respondents</p> <p>Adv. To <u>S.O. to 16/8/16.</u></p>	<p><u>19.07.2016</u></p> <p><u>O.A No 427/2016</u></p> <p><u>A.S. Gaikwad</u> Shri D.S. Sepkale ... Applicant.</p> <p>Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Shri S.S Dere, holding for Shri S Sapkale <u>Gaikwad</u>, learned advocate for the applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>Learned P.O stated that copy of the Original Application has not been served on the Respondents. Learned Advocate Shri Dere stated that he will ensure that copy is served on the Respondents. <u>before next date.</u></p> <p>S.O to 16.8.2016.</p> <p>Akn</p> <p><u>R. Agarwal</u> (Rajiv Agarwal) Vice-Chairman</p>

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

19.07.2016

O.A No 625/2016

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

Heard Shri N.P Dalvi, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

This Original Application is being heard along with another O.A filed by the Applicant bearing O.A no 1008/2015, in which reply has been filed.

As both the matters are interconnected, it will be necessary to hear them together.

Learned C.P.O seeks four weeks' time to the reply. Very long date is given with a clear understanding that if no reply is filed on the next date, the matter will be heard finally without waiting for the reply.

S.O to 16.8.2016

DATE: 19/7/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. N.P. Dalvi

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

S.O. to 16/8/16.

~~As to~~

with
(OA 1008/15)

@caj

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn

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

Tribunal's orders

MA No.284/16 in OA No.655/15

Shri D.L. Anuse ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicants, Shri K.B. Bhise, learned Presenting Officer for Respondents No.1 to 4 and Shri A.V. Bandiwadekar, learned Advocate for Respondents No.5 & 6.

2. Issue notice returnable on 28.7.2016.
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 or nearness duly authenticated by Registry, along with complete paper book of M.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 or speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance to the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

DATE: 19/7/16

CORAM:

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

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

ADVOCATE FOR:

Shri Smt. Punam Mahajan

Advocate for the Applicant

Shri Smt. R. B. Bhise

C.P.O. for the Respondents No. 1 to 4

A.V. Bandiwadekar

Adj. To for R. No. 5 & 6.

S.O. to 28/7/16.

(R.B. Malik)
Member (J)
19.7.2016

(sgj)

(Rajiv Agarwal)
Vice-Chairman
19.7.2016

(Advocate

versus

The State of Maharashtra and others

Respondent

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>19/7/16</u></p> <p><u>R.B. Malik</u> (man)</p> <p>— punam Mahajan</p> <p>— RAK Rajpurohit</p> <p>THE MAS are therefore allowed.</p> <p><i>skw</i></p>	<p><u>M.A.238/2016 in O.A.447/2016 with</u> <u>M.A.239/2016 in O.A.448/2016 with</u> <u>M.A.240/2016 in O.A.462/2016 with</u> <u>M.A.244/2016 in O.A.496/2016</u></p> <p>Shri M.V. Gaikwad & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>Heard Smt. Punam Manajan, the learned Advocate for the Applicants and Smt. RAK Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>These four MAs were reserved for orders. The prepared orders were not ready. The learned Advocate for the Applicants was not enough to inform me in advance that these MAs could be withdrawn and in that behalf written applications of the Applicants seeking withdrawal of these MAs are filed. The learned CPO says that he has got nothing to say in the matter. The MAs are, therefore, allowed to be withdrawn and are disposed of with no order as to costs.</p> <p>The OAs are adjourned to 25th July, 2016</p> <p><i>(Signature)</i> (R.B. Malik) Member (J) 19.07.2016</p> <p>(skw)</p>

(Advocate

VERSUS

The State of Maharashtra and others

Respondents

(Presenting Officer.....

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

Tribunal's orders

O.A.711/2016

Shri R.B. Sutar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

DATE: 19/7/16

R.B. Malik

Punam Mahajan

A.J. Chougule

25/7/16.

skw

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

As of today, I direct the learned P.O. to take instructions on the time that will be taken to decide the representation of 12.5.2016 (Annexure 'A-6', Page 26 of the Paper Book) either on oral instructions or an Affidavit.

Adjourned to 25th July, 2016.

Scd/- 7110
(R.B. Malik)
Member (J)
19.07.2016

(skw)