

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

Tribunal's orders

**O.A. No. 308 of 2015 with
O.A.309 of 2015 with O.A.937 of 2015
with O.A. 332 of 2015**

Shri A. Y. Yadav & Others ... Applicants

V/s.

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned P.O. for the Respondents.

The argument in this group O.A.s heard for some time. It appears at this stage that the State in Home Department has not been made a party hereto. They are apparently at least proper parties and, therefore, oral request of Shri A.V. Bandiwadekar, learned Advocate for the applicants to implead as party respondent is granted. The State of Maharashtra in Home Department be impleaded as party respondent no.3 by an appropriate amendment to be effected within three days. The consolidated copy of the O.A. after amendment be filed and a copy be furnished to the learned P.O.. The new added respondent be served in accordance with law and rules.

The State Government in its Affidavit should cover the interpretation of rule provision of Rule 8 (iii) of the Maharashtra Police Constable (Recruitment) Rules, 2011 as regards Horizontal Reservation for Home Guard whether a person merely will be eligible after expiry of three years to be given horizontal reservation in the selection to the post of Police Constable or he has to work as Home Guard for 1095 days will be required to be clarified.

Adjourned for Affidavit-in-Reply/
Additional Affidavit-in-Reply. S.O. to 10.1.2017.

Sd/-

(R.B. MALIK)
MEMBER (J)
19.12.2016

Sd/-

(RAJIV AGARWAL)
VICE-CHAIRMAN
19.12.2016

DATE: 19/12/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Affidavit and Reply
Filed by Applicant.

Adj. to

S.O. to 10/1/17. PH

Reply Filed by R. No. 2.

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
<p>DATE: 19/12/16</p> <p>CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p>APPEARANCE: Shri Smt. Mr. Kulkarni holding Power P.S. Pathak. Advocate for the Applicant Shri Smt. Ms. S. Suryavanshi C.P.O./P.O. for the Respondents holding Power N.K. Rajpurohit. Adj. To S.O. to 16/1/17.</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>19.12.2016</p> <p><u>O.A Nos 1069, 1070, 1071, 1072, 1073 & 1074/2016</u></p> <p>Shri P.K Sahane & Ors ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Shri Kulkarni holding for Shri P.S Pathak, learned advocate for the applicants and Ms Savita Suryavanshi, holding for Shri N.K Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>Though more than a month was granted to file affidavit in reply, no affidavit in reply is forthcoming. Cost of Rs. 500/- each is imposed on each of the Respondents which should be deposited in each of the case by Government cheque.</p> <p>S.O to 16.1.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</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

19.12.2016

O.A No 847, 848 & 869/2016

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

Heard Shri K.R Jagdale, learned advocate
for the applicants and Shri K.B Bhise, learned
Presenting Officer for the Respondents.

Learned Presenting Officer Shri Bhise files
affidavit in reply. Learned Advocate Shri Jagdale
states that he does not wish to file rejoinder.

O.A is admitted. Place for final hearing on
21.12.2016.

DATE: 19/12/16

CORAM:

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. K. B. Bhise

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

~~Reply filed by R. No. 3.~~

~~Adj. to O.As. are admitted.~~

~~S.O. to 21/12/16.~~

[Handwritten signature]

Akn

Sd/-

(Rajiv Agarwal)
Vice-Chairman

[P.T.O.]

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

Tribunal's orders

19.12.2016

O.A No 1161/2016

Shri B.V Patil ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Archana B.K learned Presenting Officer for the Respondents.

2. Learned Advocate Shri Lonkar states that the Applicant is facing two criminal cases and therefore he has been placed under suspension by order dated 9.3.2010, w.e.f 13.2.2010. He retired during suspension on reaching the age of superannuation on 31.5.2016. After retirement, the Applicant has not been paid any provisional pension, GPF and leave encashment dues. He has also not been paid GIS accumulation.

3. Learned P.O on instructions from Smt Dighe, Junior Administrative Officer, states that all the four dues mentioned above will be paid to the Applicant as early as possible, and latest within two weeks.

4. Issue notice before admission made returnable on 11.1.2017

3. 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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is 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 one week. Applicant is directed to file affidavit of compliance and notice.

8. S.O 16.1.2017. Hamdast.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 19/12/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

~~Adj. To~~ S.O. to 16/1/17.

Hamdast.

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
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O.A.129/2016

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

Applicant and Advocate absent. Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Affidavit-in-rejoinder is not filed. Proceed without Affidavit-in-rejoinder. OA is admitted. Liberty to mention granted.

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

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.

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.

DATE: 19/12/16

CORAM: Shri R.B. Malik (M)
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE: App. and Advocate absent.
Shri/Smt. Advocate absent.

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To: Admit. Liberty to mention
graw 2d.

[Handwritten initials]

(skw)

Sd/-

(R.B. Malik)
Member (J)
19.12.2016

**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
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**C.A. No.97 of 2016
In
O.A. No.469 of 2012**

Dr. S.M. Mohrut & Ors. ... Applicants

V/s.

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri S.H. Bhosale, Under Secretary, Public Health Department. The learned P.O. on instructions informs that the decision has been taken to challenge the order of this Tribunal dated 11.7.2016. However, on his own showing the said proceeding has not been even lodged till now and he states that it would be lodged some time later this week. There is admittedly no stay from any ^{Hon'ble} Higher Court. The main order on the R.A. was made on 11.07.2016. The required compliance was such as to be capable of being made during the time that has elapsed.

We see no reason why further progress in this C.A. should be ~~rested~~ ^{rested}. We are satisfied that prima-facie the case was made out for issuance of the show cause notice. We direct issuance of notice to respondent nos.1,2,3 & 4 asking them to show cause as to why appropriate action in contempt be not initiated against them for having being ~~breach~~ ^{breach} of our order. ~~hereto~~.

Notice returnable on 16.01.2017.

Sd/- (R.B. MALIK) MEMBER (J) 19.12.2016	Sd/- (RAJIV AGARWAL) VICE-CHAIRMAN 19.12.2016
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DATE: 19/12/16
CORAM:
 Hon'ble Shri. **RAJIV AGARWAL**
 (Vice - Chairman)
 Hon'ble Shri R. B. MALIK (Member) J
APPEARANCE:
 Shri/Smt. A.V. Bandiwadekar
 Advocate for the Applicant
 Shri/Smt. K.B. Bhise
 C.P.O./P.O. for the Respondents

Adj. Notice returnable
on 16/1/17.

**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
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O.A. No.443 of 2014

Shri H.R. Jadhav ... Applicant
V/s.
The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned P.O. for the Respondents.

The learned Advocate submits that the applicant has informed him that he would personally address this Bench but today he is unable to attend the Bench because of his earlier engagement elsewhere. The learned Advocate submits that the applicant has requested for six weeks adjournment,

Shri A.V. Bandiwadekar, the learned Advocate also requests to withdraw his appearance.

S.O. to 23.1.2017

Sd/-		Sd/-
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(R.B. MALIK)
MEMBER (J)
19.12.2016

(RAJIV AGARWAL)
VICE-CHAIRMAN
19.12.2016

(vsm)

DATE: 19/12/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

~~Adj. To~~ S.O. to 23/1/17

**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
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Date : 19.12.2016.

C.A.No.11 of 2016 in O.A.No.1053 of 2013

A.R. JadhavarApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Smt. L. Patne, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. In view of the order passed in M.A.No.534/2016, C.A. is adjourned to 21.12.2016.

Sd/-

(A.H. Joshi J.)
Chairman

prk

DATE : 19/12/16

CORAM :

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

Hon'ble Shri M. Rameshkumar (Member)

APPEARANCE :

Shri/Smt. : Lata Patne

Advocate for the Applicant

Shri/Smt. : K.S. Gaikwad

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

Adj. To : 21/12/16

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.1084 of 2015
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Shri A.V. Khadtare ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO states that order is issued by the Government on 19.11.2016 and effects thereof would be made within four weeks.

3. In view of the request of Ld. PO adjourned to 25.1.2017.

4. S.O. to 25.1.2017.

DATE: 19/12/2016

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri M.D. Lonkar

Advocate for the Applicant

Shri Smt. Archana B.K.

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

Adj. To. 25/1/2017

MT

(sgl)

2
Sd/-
(A.H. Joshi, M)
Chairman
19.12.2016

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
MA.445/16 in O.A.397/16 (Aurangabad) with
MA.446/16 in O.A.398/16 (Aurangabad)

Shri S.Y. Sawant
Shri S.K. Malik ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for
the Applicants and Smt. K.S. Gaikwad, learned
Presenting Officer for the Respondents.

2. At the request of Shri Chandratre, Ld. Advocate
adjourned to 6.3.2017.

3. S.O. to 6.3.2017.

DATE: 19/12/16
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. K.S. Gaikwad
C.P.O./ P.O. for the Respondent/s

Adj. To. 6/3/16

sgj

Sd/-
(A.H. Joshi, J.)
Chairman
19.12.2016

(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 C.A. No.50 of 2015 in O.A. No.121 of 2012
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Smt. P.K. Kamble ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. PO states that proceedings of this CA are stayed by the Hon'ble High Court by order passed on 23.10.2015 and as per the CMIS date the case would come up on board on 29.5.2017.

3. Shri Bandiwadekar, Ld. Advocate states that this matter be listed day after tomorrow so that applicant would decide to withdraw this case with liberty to file fresh case.

4. S.O. to 21.12.2016.

DATE : 19/12/2016

CORAM :

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

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

APPEARANCE :

Shri/Smt. : B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : K.S. Gaikwad

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

Adj. To. 21/12/2016

[Signature]

(sgi)

Sd/-

(A.H. Joshi, J.)
Chairman
19.12.2016

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____

DISTRICT _____

..... Applicant/

(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>C.A. No.25 of 2015 in O.A. No. 558 of 2013</u>
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Shri S.T. Marakwad ..Applicant
Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO states that compliance in totality would be reported on the next date and prays for four weeks time.

3. S.O. to 25.1.2017.

Sd/-

(A.H. Joshi, JM)
Chairman
19.12.2016

(sgl)

DATE: 19/12/2016

CORAM

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

Hon'ble Mr. M. Rameshkumar (Member)

APPEARANCE

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To: 25/1/2017

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... App' cant/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 : 19.12.2016.

C.A.No.11 of 2016 in O.A.No.1053 of 2013

A.R. JadhavarApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Smt. L. Patne, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. In view of the order passed in M.A.No.534/2016, C.A. is adjourned to 21.12.2016.

Sd/-

(A.H. Joshi J.)
Chairman

prk

DATE: 19/12/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member)

APPEARANCE:

Shri/Smt. : Lata Patne

Advocate for the Applicant

Shri/Smt. : K.S. Gaikwad

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

Adj. To: 21/12/16

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