IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

O.A.No.347 of 2016 with O.A.No.348 of 2016 with

O.A.No.349 of 2016

Ms. Pritam Appasaheb Hole (in O.A.No.347 of 2016)

Ms. Shamal Kailash Khengare (in O.A.No.348 of 2016)

Ms. Pooja Vilas Jadhav (in O.A.No.349 of 2016) ...Applicants

Vs.

The Additional Director General of Police and Ors. ...Respondents

Shri K.R. Jagdale, learned Advocate for the Applicant.

Shri K.B. Bhise, learned Presenting Officer for the Respondents.

DATE : 20.04. 2016.

ORDER

1. Learned Advocate for the Applicant has prayed for urgent hearing and ex-parte order for interim order.

2. The urgency which is described by the Applicants is as follows:-

(a) Impugned communication dated 7.04.2016 was deliver to the Applicant on 13.04.2016.

(b) The date fixed for verification of documents is 25.04.2016 and hardly 4 days' time has remained.

(c) Applicants shall suffer irrepairable loss of the recruitment session is skipped.

3. Considering the urgency heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Shri K.B. Bhise, the Presenting Officer for the Respondents and perused the O.A. and annexures thereto.

4. Issue notice returnable on 20.06.2016.

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

6. Applicant is authorised 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.

7. 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.

8. The service may be done by hand delivery/speed post/courier and acknowledgment be obtained and produced alongwith affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. After hearing on the point of interim relief it has transpired that:-

(a) All Applicants had applied, paid fee and later withdrew said first online application.

(b) All Applicants furnished application second time on different dates, by using online process.

(c) All three Applicants had paid the fees required to be paid for the 2nd application on different dates, in the bank.

(d) All the three Applicants have by mistake mentioned the registration/ I.D. reference at the time of payment of fee of 2nd application through the bank which was that of 1st application (of which registration was already cancelled). They should have mentioned the token- registration number/ I.D. of 2nd application, which they did not do.

(e) Since the registration I.D. of payment through bank did not tally with registration I.D. of 2nd application of each Applicant, all three Applicants did not qualify for participation in the recruitment process, and they are not included amongst candidates enlisted to undergo selection process.

(f) Applicants approached the Respondents and represented.

(g) Upon pursuation, Applicants were delivered impugned communication informing that because for 2nd application fee was not paid, the Applicants did not qualify for participation in the recruitment.

10. According to the Applicants the laps could have been condoned in view that:-

(a) Towards 2nd application payment was actually made by the Applicant.

(b) They are young, have passed only H.S.C. and come from rural background.

11. Leanred P.O. for the Respondents prays for time for filing reply on the ground that the case is taken up by urgent circulation, notices are not issued so far and the copy of O.A. was received in the office on 18.04.2016 and only telephonic communication was made, and instructions are still awaited.

12. In the peculiar facts and circumstances, that the Respondents have not responded to the telephonic communication by P.O., in order to protect the ends of justice, and till Respondents respond, in the interest of justice it would be appropriate to grant interim protection to the Applicants.

13. Hence following ad interim ex-parte order is passed:-

(a) Respondents are directed to issue to Applicants hall ticket/ admit card or any other documents called by any other name and grant the Applicants access to the programme of verification of the documents scheduled to commence on 25.04.2015 onwards in the process of recruitment of constables subject matter.

(b) The communication may also be sent by Respondents to the Applicant by e-mail or in such other manner, in which all other Applicants are being dealt with.

(c) Learned P.O. for the Respondents is directed to communicate this order to the Respondents.

(d) Applicants' participation, selection etc. shall be subject to further orders as may be passed in this O.A.

(e) S.O. to 20.06.2016 with liberty to circulate before due date to both the sides, if occasion arises.

14. It shall not be necessary for the Respondents to file reply to O.A. if the Respondents decide to concede to at Applicants request. In case the O.A.'s are to be opposed in that situation O.A. may be contested by filing reply.

15. Learned P.O. is directed to communicate this order to the Respondents. Steno copy and Hamdast is allowed to learned P.O. as well as to the Applicants.

16. S.O. to 20.06.2016.

Sd/-

(A.H. Joshi, J)
Chairman

sba

(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 : 20/4/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : Shri/Smt. : C. T. Chandratre Advocate for the Applicant , Shri /Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s ~~Adj. To~~ : This O.A. shall come up for final hearing in due course. sba	**Date : 20.04.2016.** **O.A.No.688 of 2013** **Shri Hisamuddin Abdul Rahim Kazi ...Applicant** **Vs.** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. This O.A. shall come up for final hearing in due course. Sd/- (A.H. Joshi, J.) Chairman

(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 : 20/4/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : Shri/Smt. : Leave note of adv. A.V. Bandiwadekar taken on record. Advocate for the Applicant Shri /Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s ~~Adj. To:~~ This OA shall come up for final hearing in due course. AHJ	**Date : 20.04.2016.** **O.A.No.762 of 2015** **Shri Abdul Hamid Abdul Wahab Perampalli ...Applicant** **Vs.** **The Supt. of Police, Solapur & Ors. ...Respondents** 1. Learned Advocate for the Applicant has filed leave note. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. This O.A. shall come up for final hearing in due course. Sd/- (A.H. Joshi, J.) Chairman sba

(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 : 20.04.2016.

C.A.No.133 of 2015 in O.A.No.1051 of 2012

Smt. Mangal Chandrakant Jadhav ...Applicant

Vs.

Shri Ujjwal Uke & Or. ...Respondents

1. Learned Advocate for the Applicant has filed leave note. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents states that the order is complied with and the Applicant has reported on duty.

3. For response of the Applicant and to report as to whether compliance is adequate, adjourned to 28.06.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 20/4/16 DLB

CORAM :

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

~~Hon'ble Shri P. Balasubramanian (Member) A~~

APPEARANCE :

Shri/Smt. : Ld. Adv. A.V. Bandiwadekar has filed leave note.

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To. 28/6/2016.

[P.T.O.

(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 : 20.04.2016.

C.A.No.66 of 2015 in O.A.No.499 of 2014

Shri Arun Vishnupant Joshi ...Applicant

Vs.

Shri Rajesh Kumar & Ors. ...Respondents

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has tendered affidavit thereby listing the deficiency in the fixation of pay.

3. Learned P.O. for the Respondents states that Shri Deepak Pimple, Desk Officer, Water Supply and Sanitation Department for the Respondentes has arrived and the points of objection raised by the Applicant will be looked in to and shall be examined.

4. By consent adjourned to 4.05.2016 for submissions by both sides.

Sd/-

(A.H. Joshi, J)
Chairman

sba

DATE : 20/4/16
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. : N.G. Gohad
C.P.O / P.O. for the Respondent/s

~~Adj to~~ By consent adj to 4/5/16.

[P.T.O.

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

Date : 20.04.2016.

O.A.No.353 of 2016

Shri Chandrakant Sahebrao Jadhav ...Applicant
Vs.
The State of Maharashtra ...Respondent

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the Presenting Officer for the Respondents.

2. Issue notice returnable on 20.06.2016.

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 authorised 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 acknowledgment be obtained and produced alongwith affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. Learned Advocate for the Applicant Shri C.T. Chandratre states as follows:-

> Cases forming part of the same group that is other delinquent's subject matters of enquiry ordered under Annexure 'A-1' and the charge sheet dated 28.06.2013 are listed before another bench.

8. Let this case also be placed before the same bench with liberty to Applicant to ask for one date in entire group, after service on the Respondents.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 20/4/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri (Member) A
Shri C. T. Chandratre
Advocate for the Applicant
Shri/Smt. N G Gohad
C.P.O. / P.O. for the Respondent/s
Adj. To.... before the same Bench.

(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 : 20.04.2016.

C.A.No.85 of 2013 in O.A.No.788 of 2012

Shri Rajaram Tulshiram Patil ...Applicant

Vs.

Shri Shamal Kumar Mukharjee & Other ...Respondents

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri D.B. Khaire, the learned Special Counsel for the Respondents.

2. Learned Advocate Shri D.B. Khaire for the Respondents states that the matter is submitted to G.A.D. for further action and the outcome is awaited.

3. Secretary G.A.D. is directed to file affidavit as to whether there exists any legal impediment in deciding the issue referred to by the Secretary P.W.D. and shall give time frame within which the matter will be decided by the G.A.D.

4. Steno copy and Hamdast is allowed to learned Special Counsel for the Respondents.

5. Learned Special Counsel for the Respondents is directed to communicate this order to the G.A.D.

6. S.O. to 5.05.2016.

Sd/-

(A.H. Joshi, J)
Chairman

sba

DATE : 20/4/16
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. : D.B. Khaire spl.counsel
C.P.O / P.O. for the Respondent/s

Adj. To 5/5/16.

[P.T.O.

(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 : 20/4/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh Kumar (Member)~~ APPEARANCE : Shri/Smt. V.P. Potbhare Advocate for the Applicant ~~Shri/Smt.~~ K.S. Gaikwad C.P.O / P.O. for the Respondent/s Admit. Adj. To... To come up in due course Dy.R.	**Date : 20.04.2016.** **O.A.No.1027 of 2015** **S.R. Kamble ...Applicant** **Versus** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2 Admit. To come up in due course. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

(PTO)

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

Date : 20.04.2016.

O.A.No.329 of 2016

S.K. Kedare **...Applicant**

Versus

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

1. None appeared for the Applicant. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2 Issue notice returnable on 11.07.2016.

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 Respondent 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. S.O. to 11.07.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 20/4/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Rameshkumar (Member) A~~
APPEARANCE :
Shri/Smt. : None for the appl.
Advocate for the Applicant
~~Shri/Smt.~~ : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 11/7/16.

(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 : 20.04.2016.~~

O.A.No.9 of 2016

Shri S.R.S. Munir ...Applicant

Versus

State of Maharashtra & Ors. ...Respondents

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents Ms. N.G. Gohad has tendered reply on behalf of Respondents. It is taken on record.

3. Learned Advocate for the Applicant Shri C.T. Chandratre prays for time to address on merits with reference to citations.

4. Time as prayed for is granted.

5. S.O. to 26.04.2016.

Sd/-

(A.H. Joshi, J)
Chairman

prk

DATE : 20/4/16
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. : N.G. Gohad
C.P.O / P.O. for the Respondent/s

Adj. To 26/4/16.

[P.T.O.

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

Date : 20.04.2016.

O.A.No.48 of 2016

Shri A.V. Joshi ...Applicant

Versus

Collector, Raigad, Alibaug & Ors. ...Respondents

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

2 This is a letter application.

3. Learned Advocate Shri C.T. Chandratre is appointed to assist the Tribunal.

4. Respondents have filed affidavit-in-reply on the contesting application.

5. It is seen that Applicant is laboring on the belief that his rightful claims have been denied.

6. Perusal of application and affidavit-in-reply reveals that the Government has presented arguable points on objections averred and has pointed in the provisions of law.

7. Considering the urge of the Applicant, it would be appropriate if he personally appears and address the Tribunal.

8. Registry shall issue notice to the Applicant informing him next date of hearing with the intimation that if he wants he can come and address the Tribunal personally on facts of law to the best of his knowledge.

9. S.O. to 24.06.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 20/4/16
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 24/6/16.

(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 : ~~27.08.2015~~.
20.04.2016.

M.A.No.189 of 2016 in O.A.No.354 of 2016

T.A. Jankar & 10 Ors. ...Applicant

Versus

The State of Maharashtra & 3 Ors. ...Respondents

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

2. This is an application for leave to sue jointly.

3. The cause pursued by the applicants in the O.A. is common and concurrent.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. disposed off accordingly.

Sd/-

(A.H. Joshi) J.T
Chairman

prk

DATE : 20/4/16

CORAM :

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

~~Hon'ble Shri M. Ramesh kumar (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 MA disposed off accordingly

[P.T.O.

(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 : 20.04.2016.

O.A.No.657 of 2014

S.S. Navle & Ors. ...Applicant

Versus

The State of Maharashtra & Ors. ...Respondents

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2 Learned C.P.O. for the Respondents Shri N.K. Rajpurohit has tendered affidavit-in-reply for Respondents No.1 and 2. Those are taken on record.

3. O.A. is already admitted.

4. In view that Applicant is already retired there is no urgency of the matter. The O.A. to come up in due course for hearing.

Sd/-

(A.H. Joshi, J)
Chairman

prk

DATE : 20/4/16
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. : N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

~~Adj. To~~ The OA to come up in due course for hearing.

[P.T.O.

(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 : 20/4/16 CORAM : Hon'ble Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakumar (Member) A APPEARANCE : Shri P. Suryawanshi Advocate for the Applicant Shri N. G. Gohad C.P.O. / P.O. for the Respondent/s Adj. To 22/6/16. Hamdast & steno copy is allowed.	**Date : 20.04.2016.** **O.A.No.156 of 2016** **K.A. Jamadar ...Applicant** **Versus** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Shri P. Suryawanshi, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. 2 Learned Advocate for the Applicant Shri P. Suryawanshi prays for time to study and demonstrate the provisions of law / recruitment rules and the basis on which the challenge is framed. 3. Learned Advocate Shri P. Suryawanshi also prays for opportunity of inspecting the recruitment rules and supply the copy of his answer sheet. 4. Respondents are directed to supply the documents as may be demanded by the Applicant. 5. Steno copy and Hamdast is allowed. 6. S.O. to 22.06.2016. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

[P.T.O.

(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 : 20/4/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A APPEARANCE : Shri R.M. Kolge Advocate for the Applicant Shri A.J. Chougule C.P.O / P.O. for the Respondent/s Admit. Adj. To... To come up for Final hearing in due course OK	**Date : 20.04.2016.** **O.A.No.952 of 2015** **S.H. Shaikh ...Applicant** **Versus** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents. 2 Admit. To come up for hearing in due course. Sd/- (A.H. JOSHI, J) Chairman prk

[PTO

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

O.A.43/2015

Shri L.N. Mhaske ... Applicant
Versus
The State of Mah. & Ors. ... Respondents

Heard Ms. S.P. Manchekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for the Respondents.

This Tribunal by order dated 5.4.2016 has imposed cost of Rs.1000/- each on Respondent Nos.3 & 4 for their failure to file Affidavit-in-reply to the OA. It was expected that the details of the pensionary dues of the Applicant paid so far will be reflected in the said reply. It was also made clear that if the reply is not filed, this Tribunal will be constrained to require presence of the Respondents personally. Today, it is seen that neither the Affidavit-in-reply has been filed nor the cost is deposited. Shri E.B. Jadhav, Jr. Clerk, Project Office, Nashik, who is attending the bearings in this OA on behalf of the Respondents, was present on the last occasion also and he was specifically told to inform his superiors about the order. The Respondent Nos. 3 & 4 are directed to remain present on the next date to explain the steps taken by them so far to release pensionary benefits of the Applicant and the reasons for not filing the Affidavit-in-reply.

S.O. to 27th April, 2016. Hamdast.

Sd/-

(Rajiv Agarwal)
Vice-Chairman
20.04.2016

(skw)

DATE : 20/4/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
~~Shri/~~Smt. : S.P. Manchekar
Advocate for the Applicant
~~Shri/~~Smt. : K.S. Gaikwad
~~C.P.O./~~P.O. for the Respondents
order passed in the Tribunal's cadaum.
~~Adj. To :~~
S.O. to 27/4/16.
Hamdast.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.157 OF 2016

DISTRICT: KOLHAPUR

Shri P.N. Patil .... **Applicant**

Versus

State of Maharashtra & 3 Others ...**Respondents**

Shri P.S. Bhavake, the learned Advocate for the Applicant.

Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 20.04.2016.

O R D E R

1. Heard Shri P.S. Bhavake, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2 Learned Advocate for the Applicant Shri P.S. Bhavake states that he shall file the affidavit of service during the course of day. Learned Advocate Shri P.S. Bhavake further states that the service of notice and copy of O.A. on the Respondents was done on 03.03.2016.

3. Learned P.O. for the Respondents Shri A.J. Chougule states that he has not received instructions so far and prays for time for filing reply.

4. In the background that service of O.A. is done on 03.03.2016, however, learned P.O. has not been instructed, the matter requires to be viewed seriously.

5. It is seen that contesting Respondent is Respondent No.3. Though Collector is former party, he too should have arranged for proper contest.

6. In this view, learned P.O. Shri A.J. Chougule was asked to furnish the name of the person holding the post of Sub Divisional Officer, Kolhapur.

7. Learned P.O. has furnished the following name :-

Shri Rahul Shinde, Sub Divisional Officer, Kolhapur.

8. Shri Rahul Shinde, Sub Divisional Officer, Kolhapur is directed to file his own affidavit on the following points :-

(a) Whether his office has received notice / intimation of date of hearing from this Tribunal or the learned Advocate for the Applicant or from the office of Chief Presenting Officer or from this Tribunal, and on what dates all these communications were received.

(b) The date of which his office has brought to his notice the fact and pendency of present Original Application, and notices/ communications.

(c) What steps he has taken for defending that O.A. after he came to know about the pendency of the O.A., and its date of hearing ?

(d) Reasons as to why none from the office of Respondent has attended to this O.A. and learned P.O. is not duly instructed ?

(e) What steps and measures he would take to ensure that the intimation about the O.A. received from the learned Advocate / learned P.O. and / or this Tribunal do not remain unattended and delegation, if any, is done only after full application of mind ?

9. Shri Rahul Shinde, Sub Divisional Officer is directed to show cause on next date as to why he should not be personally saddled with costs for neglecting to attend the proceedings before this Tribunal, and notice / communication of the learned P.O..

10. Apart from the affidavit on the points referred to in foregoing paragraphs, Respondent No.3 is also directed to file his own affidavit answering the O.A..

11. Learned P.O. is directed to communicate this order to the Respondents. Steno copy and hamdast is allowed to learned P.O..

12. S.O. to 15.06.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.354 OF 2016

DISTRICT: PALGHAR

Shri T.A. Jankar & 10 Others .... **Applicants**

Versus

State of Maharashtra & 3 Others **...Respondents**

Shri C.T. Chandratre, the learned Advocate for the Applicants.

Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 20.04.2016.

O R D E R

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

2 Issue notice returnable on 11.07.2016.

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

4. Applicants are 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. Applicants are directed to file Affidavit of compliance and notice.

7. Heard on interim relief. According to the Applicants it is apparent and evidence from annexure A-7, page 21 that the manner in which existing staff in erstwhile Thane District be divided or allocated to present Thane District and newly constituted Palghar District is not governed by any standing directions, and the guidance sought by the Government is not received since February, 2015.

8. Applicants apprehends that while the final allocation between Thane District and Palghar District is yet to take place, the Government servants are being transferred to Thane District / Palghar District from other Districts and such transfer would prejudicially affect the chances and prospects of the Applicants in getting right of preference of the District and other choices.

7. In view of the foregoing, learned Advocate for the Applicants Shri C.T. Chandratre prays for interim relief in terms of prayer clause 10(a).

8. Learned P.O. for the Respondents Shri A.J. Chougule states that instructions are required to be taken from Respondent No.1. Officer who has arrived with instructions Shri Ravi S. Vhatkar, Assistant Desk Officer, Revenue and Forest Department / Desk E-7, belongs to different Desk and hence time may be granted for securing instructions.

9. Time as prayed for by learned P.O. Shri A.J. Chougule can be granted. However, interest of that applicants need to be protected by grant of some ad-interim ex-parte order and arrangement.

10. It shall suffice if some workable arrangements are made. In the peculiar situation as narrated hereinbefore, by way of ad-interim order, following interim arrangement is ordered :-

(a) Respondents shall consider the request / preference of the Applicants while granting postings in Thane District / Palghar District, if persons on various posts in Thane District and Palghar District are to be brought from other District on the post of regular transfer / promotions.

(b) Appointees transferees shall be notified that the transfer / posting in Thane District and Palghar District shall be subject to outcome of the policy decision of the Government as may be taken in due course and the orders as may be passed in this O.A..

11. Learned P.O. is directed to communicate this order to the Respondents. Steno copy and hamdast is allowed to learned P.O..

12. S.O. to 11.07.2016, with liberty to both sides to circulate before due date, if cause or occasion arises.

Sd/-

(A.H. Joshi, J.)
Chairman

prk