

(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.272/2016**

**Shri S.H. Desai ... Applicant**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

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

Heard Mr. Jagdale, the learned Advocate for the Applicant. Time to comply with my order dated 6.6.2016 is extended till 27<sup>th</sup> June, 2016.

DATE: \_\_\_\_\_

CORAM:

Hon'ble Justice Shri H. Jadhav (Chairman)

Hon'ble Shri ~~R. B. Malik~~ (Member) *J*

APPEARANCE:

Shri/Adv. *K.R. Jagdale*

Advocate for the Applicant

Shri/Adv. *K.B. Bhise*

C.A.C. for the Respondent/s

Adj. to *27/6/16*

*Sd/-*  
*20.6.16*  
(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

*K. Jagdale*

*20.6.16*  
*For COP. P.M.M*

**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.719/2015**

**Shri S.S. Bute** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

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

Sur-rejoinder, if any, must be filed on the first date when the matter appears before the Bench and not thereafter.

DATE: 20/6/16

CORAM:

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

Hon'ble Shri. R.B. Malik (Member)-A

APPEARANCE:

Shri S.S. Dere

Advocate for the Applicant

Shri N.K. Rajpurohit

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

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

Ad. To Admit. Liberty to mention granted.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 594 OF 2016**

**DISTRICT : NAVI MUMBAI**

Smt Maya Hanmant More )...**Applicant**

**Versus**

The State of Maharashtra & others )...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

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


**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 21.06.2016**

**ORDER**

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

2. In this Original Application, the Applicant is challenging her transfer from Navi Mumbai Police Commissionerate to Gondia by order dated 24.5.2016. Learned Advocate Smt Mahajan, stated that the order mentions that the applicant has been transferred before completion of tenure as per administrative convenience. The actual language used is “ मुदतपूर्व बदल्या जनहितार्थ आणि प्रशासनिक निकडीनुसार करण्यात येत आहेत ”. Learned Advocate Smt Mahajan stated that the



transfer of the Applicant was done on the basis of default report submitted by the Commissioner of Police, Navi Mumbai dated 23.5.2016 which includes name of the Applicant and five other officers including that of Shri S.D Gaikwad, who was also transferred and has challenged his transfer in O.A no 456/2016. The said transfer of Shri Gaikwad was stayed by this Tribunal by order dated 1.6.2016 and the report of the Navi Mumbai Police Commissioner dated 23.5.2016 has been described by this Tribunal in the following terms:

“She still cannot run away from the fact that the report (Exh.R-1) is so beautifully vague as it could be.”

Learned Advocate Mrs Mahajan stated that the report of the Police Commissioner, Navi Mumbai was held not to be sufficient ground for ordering transfer of the applicant in that O.A. Obviously, the same report cannot be a ground for ordering the transfer of the Applicant also.

3. Learned Presenting Officer has placed before me a letter dated 18.3.2016 from the Police Commissioner, Navi Mumbai, to the D.G.P, M.S, Mumbai. This letter states that the applicant would have completed 6 years, 9 months and 20 days on 31.5.2016 in Navi Mumbai Police Commissionerate. Learned P.O stated that as per section 22N(1)(d) for Police Officers of the rank of P.S.I, A.P.I and P.I, the normal tenure in a Police Commissionerate other than Mumbai is 6 years and the Applicant was therefore, due for transfer in the normal course.

4. Learned Advocate Mrs Mahajan stated that this appears to be an afterthought as Applicant's name was not included in the list of officers who were transferred in the normal course during general transfers and her name was included in the list of officers

who were transferred before completion of tenure. The contention of the learned Advocate Mrs Mahajan appears to be correct as transfer order of the Applicant clearly mentions that her transfer order has been issued before completion of her normal tenure and the letter of the Police Commissioner, Navi Mumbai dated 23.5.2016 giving adverse report about the Applicant appears to be prime reason why she was transferred to Gondhia from Navi Mumbai.

5. Prima facie, I am inclined to grant interim relief sought by the Applicant. The order dated 24.5.2016 is therefore, stayed and the Applicant will be allowed to join in the post where she was working before her transfer.

6. Issue notice before admission made returnable on 23.6.2016.

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

8. 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.

9. 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.

10. 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.

11. S.O to 19.7.2016. Hamdast.

  
(Rajiv Agarwal)  
Vice-Chairman

**Place : Mumbai**

**Date : 21.06.2016**

**Dictation taken by : A.K. Nair.**

H:\Anil Nair\Judgments\2016\1st June 2016\O.A 594.16 Transfer order challenged.  
SB.0616.doc

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION 578 OF 2016**

**DISTRICT : PUNE**

Shri S.B Shinde )...**Applicant**

**Versus**

The State of Maharashtra & Others )...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

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

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 20.06.2016**

**ORDER**

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. The learned Presenting Officer Shri Bhise placed for my perusal copy of the minutes of the Police Establishment Board No. 2, dated 22.5.2016 and also default report dated 15.2.2016 received by the D.G's office from the Police Commissioner, Solapur. The general assessment from the report of the Police Commissioner in respect of the Applicant is that because of his age and the state of his physical fitness, the Applicant is not able to perform duties of executive nature effectively. The Police Commissioner, has



therefore, recommended that he may be transferred to a non-executive post. Learned Advocate Smt Punam Mahajan has brought to my notice two earlier orders passed by this Tribunal in O.As filed by the Applicant, who has been seeking transfer to a non-executive post in and around Pune in view of the state of his health.

3. By order dated 29.10.2014 in O.A no 804/2014, this Tribunal has observed that on the basis of affidavit of Commissioner of Police, SID, Maharashtra State, the Applicant's application for posting at Pune would be decided within five weeks. However, the Applicant was not given a posting in Pune. He filed another O.A no 539/2015 and it is noted in the order dated 8.9.2015 that on the instructions from the Respondent no. 1, i.e. D.G.P, Maharashtra State, learned C.P.O informed this Tribunal that the Applicant's request for his transfer at the place of his choice will be considered when the occasion arises. Obviously such an occasion has arisen during the general transfers of 2016. The assurance give to this Tribunal by the office of the D.G.P has not been fulfilled and the Applicant has been transferred to Aurangabad. The Applicant was posted to Solapur City in October, 2015, i.e. shortly after the assurance given to this Tribunal that his request for a transfer to a place of his choice would be considered. He has now been transferred before he has completed his tenure in violation of Section 22N(2) of the Maharashtra Police Act.

4. Considering the above facts, the Applicant deserves to be granted interim relief. The order qua the Applicant dated 24.5.2016 is therefore stayed. The Applicant will be allowed to work as before in the place where he was before this order was issued.



5. Issue notice before admission made returnable on 4.7.2016.

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

7. 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.

8. 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.

9. 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.

10. S.O to 4.7.2016. Hamdast.

  
(Rajiv Agarwal)  
Vice-Chairman

**Place : Mumbai**

**Date : 20.06.2016**

**Dictation taken by : A.K. Nair.**

**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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**20.06.2016**

**M.A 234 of 2016 in O.A No 566/2016**

Shri Ravindra G. Rahale & ors ... Applicants  
Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri M.D Lonkar, learned advocate for the applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.

This Misc Application is filed seeking permission to sue jointly. Learned Advocate Shri Lonkar stated that all the Applicants are working in the Motor Transport Section of the Mumbai Police Commissionerate. The issue are common that the benefits of Assured Career Progression Scheme which was granted to the Applicants in the past and which were subsequently cancelled leading to recovery.

All the Applicants are seeking similar reliefs against the same Respondents. Considering the above facts, permission to sue jointly is allowed subject to payment of Court fees, if not already paid. *M.A. is allowed accordingly.*

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

Akn

*20/6/16*  
Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)  
Hon'ble Shri R. B. MALIK (Member)

**APPEARANCE :**

Shri/Shri : *M.D. Lonkar*

Advocate for the Applicant

Shri/Shri : *A.J. Chougule*

Presenting Officer for the Respondents

Adj. To *M.A. is allowed.*

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

Tribunal's orders

**20.06.2016**

**O.A No 566/2016**

Shri Ravindra G. Rahale & ors ... Applicants  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission made returnable on 18.7.2016.
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 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.
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 18.7.2016. Learned P.O waives service of notice.
8. Shri Lonkar also seeks to amend prayer clause 15(a) & (b) in which the date of impugned order is inadvertently mentioned as 18.4.2006 instead of 21.4.2015. Leave to amend the O.A is granted. Learned Advocate Shri Lonkar stated that he will carry out the amendment forthwith and serve the amended copy on the Respondents.

DATE: 20/6/16

FORAM:

DR. R. RAJIV AGARWAL  
(Vice-Chairman)  
M. D. LONKAR (Member)

APPEARANCE:

Shri M.D. Lonkar

Appearance for the Applicant:

Shri A.J. Chougule  
C.A.O / P.O. for the Respondents

Adj. To 18/7/16

*BTe*

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

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

**20.06.2016**

**M.A 235/2016 in O.A No 572/2016**

Smt Sushma G. Padage ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
2. Issue notice before admission made returnable on 18.7.2016.
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 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.
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 18.7.2016. Learned P.O waives service of notice.

DATE: 20/6/16

CORAM:

Hon. Mr. Shri. RAJIV AGARWAL  
(Vice - Chairman)

Hon. Mr. Shri. R.D. WALKER (Member)

ATTORNEYS

Shri. A.V. Bandiwadekar

Advocate for the Applicant

Shri. K.B. Bhise

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

Adj. To: 19/7/16

*BT*

Sd/-

(Rajiv Agarwal) [P.O.]  
Vice-Chairman

**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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**20.06.2016**

**O.A No 924/2015**

Dr P.D Durgude ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri J.S Deshmukh, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Affidavit in reply and affidavit in rejoinder have been filed.

Original Application is admitted Place for final hearing on 25.7.2016.

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

Akn

DATE: 20/6/16  
 CHAIRMAN:  
 Hon'ble Shri. RAJIV AGARWAL  
 (Vice-Chairman)  
 Hon'ble Shri. K.B. Bhise (Member)  
 APPEARANCES:  
 Shri. J.S. Deshmukh  
 Advocate for Applicant  
 Shri. K.B. Bhise  
 Presenting Officer for the Respondents  
 Admit  
 Adj. To: 25/7/16  
 F-11  
 JTC

**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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders <b>20.06.2016</b></p>
<p>DATE: <u>20/6/16</u>  CORAM:  Hon'ble Shri. RAJIV AGARWAL  (Vice - Chairman)  Hon'ble Shri. B. MAZUMDAR (Member)  APPEARANCE:  Shri. <u>A.V. Bandiwadekar</u>  Advocate for the Applicant  Shri. <u>A.S. Wable</u>  C/O/P.O. for the Respondents  Adj. To. <u>19/7/16</u>  <i>B.T.</i></p>	<p><b><u>O.A No 581/2016</u></b></p> <p>Shri R.S Bodake ... Applicant  Vs.  The State of Maharashtra &amp; Ors... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicants and Shri A.S Wable, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission made returnable on 18.7.2016.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>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.</li> <li>7. S.O to 18.7.2016. Learned P.O waives service of notice.</li> </ol> <p>Sd/-  (Rajiv Agarwal)  Vice-Chairman (P.T.O.)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>20/6/16</u></p> <p><u>CORAM:</u></p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)</p> <p><del>Hon'ble Shri. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u></p> <p>Shri <u>G.A. Bandiwadkar</u> Applicant</p> <p>Shri <u>K.S. Gaikwad</u> C.O. for the Respondents</p> <p>Adj. to <u>19/7/16</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p><b><u>20.06.2016</u></b></p> <p style="text-align: center;"><b><u>O.A No 571/2016</u></b></p> <p>Shri C.K. Yerunkar ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri G.A Bandiwadkar, learned advocate for the applicants and Mrs Kranti S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 18.7.2016.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p>7. S.O to 18.7.2016. Learned P.O waives service of notice.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**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.272/2016**

**Shri S.H. Desai ... Applicant**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

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

Heard Mr. Jagdale, the learned Advocate for the Applicant. Time to comply with my order dated 6.6.2016 is extended till 27<sup>th</sup> June, 2016.

DATE: \_\_\_\_\_

CORAM:

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

Hon'ble Shri ~~M. Ramchandra~~ (Member) **R.B. Malik**

APPEARANCE:

Shri/For: **K.R. Jagdale**

Advocate for the Applicant

Shri/For: **K.B. Bhise**

C.P.O. for the Respondent/s

Adj. To: **27/6/16**

o

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

(skw)



**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.211/2016**

**Shri A.A. Sariputra** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

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

Affidavit-in-Rejoinder is taken on record. Admit.

Affidavit-in-Sur-rejoinder, if any, must be filed on the next date and not thereafter.

S.O. to 30<sup>th</sup> June, 2016.

Sd/-  
(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

DATE: 20/6/16

CORAM:

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

Hon'ble Shri R.B. Malik (Member) A

APPEARANCE:

Shri A.V. Bandiwadekar

Advocate for the Applicant

Shri K.B. Bhise

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

Adj. To: 30/6/16

*Handwritten initials*

**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: <u>20/6/16</u></p> <p>CORAM:</p> <p>Hon'ble Justice <del>Shri A. H. Jadhav</del> (Chairman)</p> <p>Hon'ble Shri <u>R.B. Malik</u> (Member)</p> <p>APPEARANCE:</p> <p><u>K.R. Jagdale</u> .....</p> <p><u>K.B. Quise</u> .....</p> <p>Admit .....</p> <p>SOW 29/7/16.</p> <p style="text-align: right;">4</p>	<p style="text-align: center;"><b><u>O.A.40/2016</u></b></p> <p><b>Shri D.D. Gabhale</b> ... Applicant</p> <p style="text-align: center;"><b>Vs.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>Shri Jagdale, the learned Advocate for the Applicant makes a statement at the Bar that the Applicant does not want to file Rejoinder. This is a matter relating to the transfer. Therefore, a fixed date is given. Admit. Place it before the appropriate Bench on 29<sup>th</sup> July, 2016.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 20.06.2016</p> <p style="text-align: right;">6</p> <p>(skw)</p>

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

Tribunal's orders

**O.A.574/2016**

**Shri P.A. Pagare** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 18.07.2016.

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 18<sup>th</sup> July, 2016. The learned C.P.O. do waive service.

DATE: 20/6/16

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri R.B. Malik (Member) A

APPEARANCE:

Shri A.V. Bandiwadekar

Advocate for the Applicant

Shri N.K. Rajpurohit

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

Adj. To: 18/7/16

*B.T.*

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

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

Tribunal's orders

**O.A.585/2016**

**Shri R.S. Bodake** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 18.07.2016.

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 18<sup>th</sup> July, 2016. The learned C.P.O. do waive service.

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

DATE: 20/6/16

CORAM:

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

Hon'ble Shri R.B. Malik (Member) [A]

APPEARANCE:

Shri A.V. Bandiwadekar

Advocate for the Applicant

Shri N.K. Rajpurohit

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

Adj. To 18/7/16

*[Handwritten signature]*

**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><b>DATE:</b> <u>20/6/16</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) <i>R.B. Malik</i></p> <p><b>APPEARANCE:</b> <i>A.V. Bandiwadkar</i> Advocate for the Applicant Shri/Smt <i>K.B. Bhise</i> C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To <u>4/7/16</u> <i>Admit</i></p>	<p style="text-align: center;"><b><u>O.A.237/2016</u></b></p> <p><b>Shri P.V. Rasam &amp; 22 Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>Affidavit-in-reply of Respondent No.2 is taken on record. The order of the Hon'ble Chairman dated 21<sup>st</sup> March, 2016 in this OA itself and the order of this Tribunal in OA 841/2015, a copy of which has been annexed are perused. A fixed date will be given for the final hearing of this OA. The OA is admitted. It be placed for final hearing before the appropriate Bench on 4<sup>th</sup> July, 2016.</p> <p style="text-align: right;">Sd/- (R.B. Malik) <i>20.06.16</i> Member (J) 20.06.2016</p> <p>(skw)</p>

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

Tribunal's orders

**M.A.232/2016 in O.A.1048/2015**

**Shri S.C. Gadade ... Applicant**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Shri A.V. Bandiwadekar the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 18.07.2016.

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 18<sup>th</sup> July, 2016. The learned C.P.O. do waive service.

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

DATE: 20/6/16

CORAM:

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

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

APPEARANCE:

Shri A. V. Bandiwadekar

Advocate for the Applicant

Shri N. K. Rajpurohit

C.P.O. for the Respondent/s

Adj. To: 18/7/16

order passed in Tribunal Glynn



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. 95 of 20 11 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><u>DATE: 20/6/16</u></p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u> <del>Shri S.A. Sable &amp; Ors. for the applicant.</del> Advocate for the Applicant Shri <u>K.B. Bhise</u> <del>C.F.O. for the Respondents No. 1 &amp; 2.</del> <u>K.R. Jagdale for</u> <u>Nos. 4, 5, 7, 8, 9, 10 &amp; 12.</u> Adj. To <u>S.A. is dismissed</u> <u>for default.</u></p>	<p><b><u>O.A.36/2011 (At Aurangabad)</u></b></p> <p><b>Dr. S.A. Sable &amp; Ors. ... Applicants</b> <b>V/s.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>None for the Applicants. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents 1 &amp; 2 and Shri K.R. Jagdale, the learned Advocate for Respondents 4,5,7,8,9,10 &amp; 12. None for other Respondents.</p> <p>This OA originally filed at Aurangabad came to be assigned to the Principal Bench later on and ever since then, the Applicants were not always regular in attending the matter. This OA was in fact dismissed for default once and then while making an order on MA 414/2015, dated 18.12.2015, the said order of dismissal was set aside and the OA was restored. But even thereafter a few appearances initially, the Applicants remained absent and unrepresented on 27.2.2015 and 24.4.2015. In that connection, reference could be made to our order dated 24.4.2015. The Applicants are absent and none are present today also. The OA is dismissed for default with no order as to costs.</p> <p>Sd/- (R.B. Malik) Member (J) 20.06.2016 (skw)</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman 20.06.2016</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. 95 of 20 11 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><u>DATE: 20/6/16</u></p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u> Shri <u>Amey Patil holding</u> <u>Poa R.L. Kute</u> Advocate for the Applicant. Shri <u>Smt. K. B. Bhise</u> C.A./P.O. for the Respondents No. <u>122</u> <u>K. P. Jagdale</u> R.No. <u>415, 7, 8, 9, 10, 12.</u> Adj. to ..... <u>O.A. Adj. to 8/7/16.</u> <i>[Signature]</i></p>	<p><u>L.O.</u></p> <p>Shri Patil holding for Shri R.L. Kute, learned Advocate for the Applicants mentions the matter in the same session, when it went by default. Appearance for the Respondents as before. Shri Jagdale, the learned Advocate for the Respondents 4, 5, 7, 8, 9, 10 &amp; 12 objects to any indulgence being shown and submits that the Applicants should be asked to file the MA. Having considered the rival submissions, we are of the view that in as much as the application for restoration is made today itself in the same session, the OA can be restored to file.</p> <p>The matter is being appointed for final arguments with clear direction that when the matter is called out, the Applicants must be ready to make submissions and no further indulgence would be shown. The OA stands adjourned to 8<sup>th</sup> July 2016.</p> <p>Sd/- Sd/- (R.B. Malik) (Rajiv Agarwal) Member (J) Vice-Chairman 20.06.2016 20.06.2016</p> <p>(skw)</p>

**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.1072/2014**

**Shri R.S. Hingmire & Ors. ... Applicants  
V/s.  
The State of Mah. & ors. ... Respondents**

Heard Shri Sherkhane holding for Shri R.G. Panchal, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned C.P.O. for the Respondents.

The then Collector, Solapur Shri T.H. Munde who we are informed has now been transferred as Commissioner, Navi Mumbai is present. His presence is recorded. The learned CPO requests that his presence may be noted because he has to rush to Mantralaya for an unavoidable important meeting. As for today, we have heard the learned CPO. The further personal attendance of Shri Munde for today and for the next date is dispensed with and we shall take a final decision thereabout after the learned CPO concludes his submissions.

DATE: 20/6/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. V.S. Sherkhane  
holding for R.G. Panchal  
Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit  
C.P.O. for the Respondents

Adj. To. 1/7/16

(OA 957/14)

Sd/-

(R.B. Malik)  
Member (J)  
20.06.2016

(skw)

Sd/-

(Rajiv Agarwal)  
Vice-Chairman  
20.06.2016