

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>20/7/2017</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri (Rajiv Agarwal) (Member) A</p> <p>APPEARANCE : Shri/Smt : <u>R.S. Pawar Appl. in person.</u> Advocate for the Applicant Shri/Smt : <u>M.D. Lonkar the ld. Special</u> C.P.O / P.O. for the Respondent/s <u>COUNSEL for R/S</u> As to <u>MA is allowed.</u></p> <p style="text-align: right;">B.P.K.</p>	<p>Date : 20.07.2017.</p> <p>M.A.No.311 of 2017 in O.A.No.71 of 2017</p> <p>R.S. PawarApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.S. Pawar, Applicant in person and Ms. N.G. Gohad, the learned Presenting Officer with Shri M.D. Lonkar, the learned Special Counsel for the Respondents.</p> <p>2. Applicant has prayed for leave to amend the O.A. on the ground that he wants to challenge the orders passed during the pendency of the O.A.No.71 of 2017.</p> <p>3. Considering the fact that consequential amendment is necessary in the interest of justice, M.A. for leave to amend is allowed.</p> <p style="text-align: center;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p>prk</p>

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date : 20.07.2017.

O.A.No.71 of 2017

R.S. Pawar

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri R.S. Pawar, Applicant in person and Ms. N.G. Gohad, the learned Presenting Officer with Shri M.D. Lonkar, the learned Special Counsel for the Respondents.

2. Adjourned to 09.08.2017.

DATE: 20/7/2017

CORAM:

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

APPEARANCE:

Shri/Smt: R.S. Pawar Appl. in person.

Advocate for the Applicant

Shri/Smt: N.G. Gohad Ld. P.O.

C.P.O./P.O. for the Respondent/s
With Shri M.D. Lonkar spl. counsel

Adj. To: per R.O.s.

S.O. to 9/8/2017.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

Sd/-

(A.H. Joshi)
Chairman

Date : 20.07.2017.

O.A.No.318 of 2017 with O.A.No.319 of 2017 with
O.A.No.320 of 2017 with O.A.No.321 of 2017

A.S. Shirsat (O.A.No.318/2017)

A.B. Sonawane (O.A.No.319/2017)

S.Z. Rite (O.A.No.320/2017)

H.M. Hendre (O.A.No.321/2017)

....Applicants.

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned C.P.O. for the Respondents states that instructions are received and four week's time may be granted for filing the affidavit-in-reply.

3. Learned Advocate for the Applicant submits that he expects affidavit-in-reply to each point and each statement made in the O.A..

4. Time is granted till next date.

5. S.O. to 18.08.2017.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

prk

Sd/-

(A.H. Joshi)
Chairman

DATE: 20/7/2017

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Vice-Chairman)

APPEARANCE:

Shri/Smt. B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj. To.....18/8/2017.....

IN

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 20/7/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt: R.B. More Appl. in person. Advocate for the Applicant: Shri/Smt: N.G. Gohad C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 8/8/2017.</p> <p>B.P.T.</p>	<p>Date : 20.07.2017.</p> <p>C.A.No.80 of 2016 in O.A.No.517 of 2015</p> <p>R.B. MoreApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.B. More, Applicant in person and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents states that directions are issued to pay arrears payable to the Applicant directly subject to decision in the Writ Petition.</p> <p>3. In view of this statement, S.O. to 08.08.2017.</p> <p>Sd/- (Rajiv Agarkar) Vice-Chairman</p> <p>Sd/- (A.H. Joshi) Chairman</p> <p>prk</p>

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<p><u>DATE:</u> 20/7/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajeshkumar (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt.: Punam Mahajan Advocate for the Applicant Shri/Smt.: N.K. Rajpurohit C.P.O./P.O. for the Respondent/s</p> <p>Adj. To 25/7/2017. Steno copy and Hamdast is allowed to Ld. C.P.O.</p> <p style="text-align: right;">BHE</p>	<p>Date : 20.07.2017.</p> <p>O.A.No.655 of 2017</p> <p>M.B. PatilApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. for the Respondents states after taking instructions states that applicant's representation would be put up for orders along with necessary comments and recommendations before Hon'ble Minister concerned on or before 24.07.2017. 3. For reporting the compliance, S.O. to 25.07.2017. 4. Steno copy and Hamdast is allowed to learned C.P.O.. Learned C.P.O. is directed to communicate this order to the Respondents. <p style="text-align: center;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p>prk</p>

Date : 20.07.2017.

O.A.No.653 of 2017

Dr. M.C. Sing & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the Chief learned Presenting Officer for the Respondents.

2. Issue notice returnable on 31.08.2017.

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. S.O. to 31.08.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

DATE: 20/7/2017

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. J.N. Kamble

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

AG. To 31/8/2017.

B/T

IN

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>20/7/2017</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman) <u>Rajiv Agarwal</u> (Vice-Chairman)</p> <p>Hon'ble Shri M. Kamlesh Kumar (Member)</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>J. H. Kamble</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>H. K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>MA is allowed.</u> <u>BTE</u></p>	<p>Date : 20.07.2017.</p> <p>M.A.No.304 of 2017 in O.A.No.653 of 2017</p> <p>Dr. M.C. Sing & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.N. Kamble, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the Chief learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>prk</p> <p>Sd/- (A.H. Joshi) Chairman</p>

Date : 20.07.2017.

O.A.No.529 of 2017

A.D. Dhakne

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Learned P.O. for the Respondents states he has instructions to oppose. This Tribunal had directed the Respondent No.3 to file affidavit-in-reply.

3. It is seen that even today the affidavit-in-reply is not ready. Learned P.O. was called to furnish the name of the officer holding the post of Respondent No.3.

4. Learned P.O. has furnished it as Shri Milind Shambharkar, Commissioner, Commissionerate of Social Welfare, Pune.

5. Shri Milind Shambharkar, Commissioner, Commissionerate of Social Welfare, Pune is called to show cause as to why he should not be directed to pay costs of Rs.10,000/- to be paid personally towards his failure to file affidavit on limited question as ordered by this Tribunal in the order passed on 05.07.2017.

6. Affidavit answering show cause be filed on 28.07.2017.

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

8. S.O. to 28.07.2017.

DATE: 20/7/2017

CORAM:

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

Hon'ble Shri M. Rajeshekumar (Member)

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To 28/7/2017.

BTE

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Sd/-

(A.H. Joshi J.)
Chairman

O.A.No.640 of 2017

R.V. Deshmukh & Ors.Applicants.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicants prays :-

(a) To advance the date of hearing.

(b) For grant of interim relief.

3. Learned Advocate states that O.A. can be heard even if reply to paragraphs 6.15 to 6.18 (both inclusive) are answered.

3. Today, learned P.O. is instructed by Shri Davane, Assistant Director, Director, Technical Education, Mumbai.

4. Learned P.O. is called to state as to how much time is needed to reply paragraphs 6.15 to 6.18 (both inclusive).

5. Learned P.O. states that two week's time is needed.

6. In view that limited reply is to be given even both days time is adequate.

7. Hence, S.O. to 25.07.2017.

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

DATE : 20/7/2017

CORAM :

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

Hon'ble Shri Rajiv Agarwal (Vice) (Member) A

APPEARANCE :

Shri/Smt. : S.P. Manchekar

Advocate for the Applicant

Shri/Smt. : Archana B.K

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

Ady. To 25/7/2017.

prk

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Sd/-

(A.H. Joshi J.)
Chairman

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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<p>DATE: <u>20/7/2017</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Radheshankar (Member) <u>Rajiv Agarkar (Vice)</u></p> <p>APPEARANCE:</p> <p>Shri/Smt. - <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt. - <u>K.B. Bhise</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To. <u>4/8/2017</u></p> <p><i>prk</i></p>	<p>Date : 20.07.2017.</p> <p>O.A.No.536 of 2017</p> <p>R.M. Manale & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents prays for two week's time for filing affidavit-in-reply. 3. Time is prayed on the ground that Hon'ble Chief Minister's approval is necessary. 4. In view of the request, S.O. to 04.08.2017. <p>Sd/- (Rajiv Agarkar) Vice-Chairman</p> <p>Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

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

Tribunal's orders

O.A. No.664 of 2017

Smt. K.K. Solanki ... Applicant
V/s.
The State of Mah. & ors. ... Respondents

Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

At the moment nobody is there to instruct the learned P.O. The Original Application is moved against the order of recovery made because the Applicant has failed to clear to Marathi Language Examination within two years of her appointment. There is in my opinion an arguable case and the Applicant cannot be left unprotected.

The learned Advocate relied upon the case of **State of Punjab & Ors V/s. Rafiq Masih (White Washer) & Ors (2015) 4 SCC 334** and in my view rightly so. The order herein impugned seeking recovery of amount from the Applicant is stayed till further orders.

Issue notice returnable on 18.08.2017.

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. 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 18.08.2017. Learned P.O. do waive service. Hamdast.

Sd/-

(R.B. Malik) 20-7-17
Member (J)

DATE: 20/7/17

CORAM:

~~Hon. Jc. Shri. RAJIV AGARWAL~~
(Vice-Chairman)

~~Hon. Jc. Shri R. B. MALIK (Member)~~

APPEARANCE:

~~Advocate for the Applicant~~ L.S. Deshmukh

~~Shri / Smt.~~ Ms. S. Suryawanshi

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

Adj. To S.O. to 18/8/17.

L.O.

Shri. R.T. Raethod,
Administrative Officer,
Poddar Hospital, Mumbai
is present.

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

Tribunal's orders

O.A. No.632 of 2017

Shri V.A. Deshpande ... Applicant

V/s.

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

Heard L.S. Deshmukh, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

The learned Advocate for the Applicant insists on interim relief. The impugned order is at Exb. 'D', page 15 of the PB. For the facts of omission and commission, the Applicant was relieved by the Respondent No.3 from duty. It is complaint that the 2nd Respondent is not allowed the Applicant to join because the order was made by an officer who is inferior in rank to him. This order was passed on 12.08.2016 which was almost about 11 months from today.

The learned Advocate Shri Deshmukh submits that in the meanwhile he made a number of representations which have not yielded results. Be that as it may, if the impugned order is made by an authority who have no power to do so then it will obviously be non-est. As of now thereon, I direct that the Respondent Nos. 2 & 3 must file their Affidavits at least on the point as to whether the maker of the impugned order was competent to do so. The facts containing this information will have to be filed on the next date itself although they are free to file a detailed Affidavit as well. Depending thereupon, I shall consider making of any order in the matter.

S.O. 28.08.2017. Hamdast.

Sd/-

(R.B. Malik) 20.7.17
Member (J)
20.07.2017

DATE: 20/7/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. L.S. Deshmukh

Advocate for the Applicant

Shri/Smt. Ms. S. Suryawanshi

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

Adj. To S.O. to 28/8/17.

Hamdast.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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<p>DATE: 20/7/17</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajiv Aggarwal (Member)</p> <p>APPEARANCE: Shri/Smt. : M.D. Lonkar Advocate for the Applicant Shri/Smt. : Archana B.K. C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 21/7/2017</p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 20.07.2017.</p> <p>C.A.No.19 of 2017 in O.A.No.637 of 2016</p> <p>R.B. BhosaleApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. Learned Presenting Officer for the Respondents has tendered affidavit-in-reply on behalf of Respondent No.2, i.e. Contemnor No.2. The said affidavit-in-reply is affirmed by Shri Satish Mathur, Director General of Police, Mumbai. It is taken on record.</p> <p>3. For reporting the progress at the level of the Government, S.O. to 21.07.2017.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Rajiv Aggarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.H. Joshi J.) Chairman</p> <p>prk</p>

Office Memoranda of Coram,
Tribunal's orders or
Registrar's orders

Tribunal's orders

DATE: 20/7/17

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Raju Agawale (Jc)

APPEARANCE:

Shri/Smt. R. M. Kolge

Advocate for the Applicant

Shri/Smt. Archana B. K.

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

Adj. To: Heard. Admit.

RTE

Heard.

Admits

Sd/-

v.c.
20/7/2017



Sd/-

20/7/2017

disposed 20/7/17 C/V/C

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. MA.229/17 In 150 of 2017

DISTRICT

The state of maharashtra Applicant/s
(org. resp)

(Advocate Mrs. A.B. Kolotgi (P.O.))

versus

The State of Maharashtra and others

Mr. V. M. Salokhe

..... Respondent/s
(org. appli)

(Presenting Officer.....)

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

Tribunal's orders

*Heard.
disposed as not pressed.*

Sd/-

Sd/-

DATE: 20/7/17

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Rajiv Agarwal (V/C)
Hon'ble Shri A. Ramesh Kumar (Member) A

*v.c.
20/7/2017*

*Amjasthm
20/7/2017*

APPEARANCE:

Shri/Smt. Archana B.K. P.O.
Advocate for the Applicant (Org. Resp.)
Shri/Smt. R.M. Kelge Ld. Adv.
G.P.O. for the Respondent/s (Org. Appl.)

*Heard.
Ad. To. disposed as not
pressed.*

B.K.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. 345 of 2017

DISTRICT

..... Applicant/s

S. H. Mane

(Advocate Mrs. Pynam Mahajan)

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:</u> <u>20/7/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>Rajiv Agarwal</u> (Member-A)</p> <p><u>APPEARANCE:</u> <u>Shri/Smt. Pynam Mahajan</u> Advocate for the Applicant <u>Shri/Smt. H. G. Gohad</u> C.P.O / P.O. for the Respondent/s <u>Head.</u> Adj. To <u>Admit.</u></p> <p style="text-align: right;"><u>20/7</u></p>	<p><u>Heard.</u></p> <p><u>Admit.</u></p> <p>Sd/-</p> <p><u>g. v. v.c.</u> <u>20/7/2017</u></p> <p>Sd/-</p> <p><u>20/7/2017</u></p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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><u>DATE:</u> 20/7/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Kamesh Kumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. K.R. Jagdale Advocate for the Applicant Shri/Smt. K.B. Bhise C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. 25/7/2017</p> <p align="right"><i>B.T.</i></p>	<p>Date : 20.07.2017.</p> <p align="center">O.A.No.42 of 2017</p> <p>P.J. PawarApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has tendered the affidavit of Shri Ashish Kumar Singh, Principal Secretary, Public Works Department. It is taken on record</p> <p>3. Shri Ashish Kumar Singh, Principal Secretary, Public Works Department is called to explain the reasons of reckless manner in which affidavit is drafted.</p> <p>4. Learned P.O. for the Respondents has taken instructions and states that Shri Ashish Kumar Singh, Principal Secretary will appear on 25.07.2017.</p> <p>5. S.O. to 25.07.2017.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Rajiv Agarwal) (A.H. Joshi) Vice-Chairman Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 20/7/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajesh Kumar (Member) <i>Rajiv Agarwal (V/C)</i></p> <p><u>APPEARANCE:</u> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. <u>A.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To..... <u>2/8/2017</u>.....</p> <p align="right"><i>prk</i></p>	<p>Date : 20.07.2017.</p> <p align="center">O.A.No.1110 of 2016 with O.A.No.1111 of 2016</p> <p>G.S. Khade (O.A.No.1110/2016) A.S. Sapkale (O.A.No.1111/2016)Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents has tendered his own affidavit. It is taken on record.</p> <p>3. Learned C.P.O. prays for time till 01.08.2017 for filing affidavit and also to consider applicant's case and come out with a decision.</p> <p>4. S.O. to 02.08.2017.</p> <p align="center">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p align="center">Sd/- (A.H. Joshi) Chairman</p> <p align="center">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 20/7/17</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/Shri: G.A. Bandiwadekar Advocate for the Applicant Shri/Shri: Ms. S. Suryawanshi C.P.O./P.O. for the Respondents Rejoinder filed by applicant. S.O. to 11/8/17. O.A. as admitted.</p>	<p style="text-align: center;"><u>O.A. No.429 of 2017</u></p> <p>Shri P.B. Pawar ... Applicant</p> <p style="text-align: center;">V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard G.A. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.</p> <p>Affidavit-in-Rejoinder is taken on record. The Original Application is admitted and appointed for final hearing on 11.08.2017.</p> <p>Sur-Rejoinder, if any, must be filed on that date and not thereafter.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 20.07.2017</p> <p style="text-align: center;">(vsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>20/7/17</u></p> <p><u>CORAM:</u></p> <p>Shri. RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u></p> <p><u>Shri. G.A. Bandiwadekar</u></p> <p>Adv. Note for the Applicant <u>Ms. S. Suryawanshi</u></p> <p>Shri. P.O. for the Respondents <u>Rejoinder filed by Applicant.</u></p> <p>Adj. To: _____</p> <p>S.O. to 11/8/17. O.A. is admitted.</p> <p>FH @ud</p>	<p><u>O.A. No.80 of 2017</u></p> <p>Smt. A. G. Shaikh ... Applicant</p> <p>V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard G.A. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.</p> <p>Affidavit-in-Rejoinder is taken on record. The Original Application is admitted and appointed for final hearing on 11.08.2017.</p> <p>Sur-Rejoinder, if any, must be filed on that date and not thereafter.</p> <p>Sd/- <u>(R.B. Malik)</u> Member (J) 20.07.2017</p> <p>(vsm)</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.94/2017

Mr. A.R. Thakur ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

Heard Mr. M.K. Deshpande, the learned Advocate for the Applicant and Mr. S. Suryawanshi, the learned Presenting Officer for Respondents.

Heard the submissions of both the sides. The OA has become Part Heard. It is clear from Page 44 of the Paper Book (PB) that in so far as the issue of grant of leave is concerned, by the G.R. of 15th April, 2017 (Page 44) that has been taken care of and now, the issue remains only with regard to the payment of interest. The learned Advocate in this behalf relies upon **S.K. Dua Vs. State of Haryana & Anr.: AIR 2008 SC 1077** and **Gorakhpur University & Ors. Vs. Dr. Shitla Prasad Nagendra & Ors. : (2001) 6 SCC 591**. In support of his contention, that interest is payable by the Respondents. Even as this Part Heard OA is being adjourned today, the Respondent No.1 within a period of four weeks from today shall take a decision about the payment of interest and make an appropriate order and communicate its decision to the Applicant within three working days therefrom. The OA stands adjourned to 24th August, 2017. Hamdast.

DATE: 20/7/17

CORAM:

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

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

APPEARANCE:

~~Shri/Smt. M.K. Deshpande~~

Advocate for the Applicant

~~Shri/Smt. Ms. S. Suryawanshi~~

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

~~Adj. To: S.O. to 24/8/17~~

PH
@ad

Sd/-

(R.B. Malik)
Member (J)
20.07.2017

20-7-17

(skw)

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

Tribunal's orders

O.A. No.651 of 2017

Smt. A.C. Nachare alia
Mrs. Archana N. Jawale ... Applicant

V/s.

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

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

Issue notice returnable on 10.08.2017.

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. 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 10.08.2017. Learned P.O. do waive service.

Sd/-
(R.B. Malik) 20.7.17
Member (J)
20.07.2017

DATE: 20/7/17

CORAM:

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

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

APPEARANCE:

~~Shri/Smt. Punam Mahajan~~
Advocate for the Applicant

~~Shri/Smt. Ms. S. Suryawanshi~~
C.P.O./P.O. for the Respondents

Adj. To S.O. to 10/8/17.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**ORIGINAL APPLICATION NO.66 OF 2017****Dr. V.S. Shinde****....Applicant.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

Shri B.A. Bandiwadekar, the learned Advocate for the Applicant.

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

CORAM : Justice Shri A.H. Joshi, Chairman
Shri Rajiv Agarwal, Vice-Chairman

DATE : 20.07.2017.

PER : Justice Shri A.H. Joshi, Chairman

ORDER

1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Learned Presenting Officer for the Respondents prays for time on the ground that so far instructions are awaited.
3. On earlier dated this Tribunal had recorded the dis-satisfaction for delay in filing the affidavit-in-reply. Today again learned Presenting Officer for the Respondents prays for time. Learned P.O. for the Respondents was called to furnish the names of the officers holding the posts of Additional Chief Secretary, Public Health Department and Commissioner, Employees State Insurance Scheme, Mumbai.
4. Learned P.O. for the Respondents has furnished the following names :-
 - (a) Shri Pradeep Vyas, I.A.S., Additional Chief Secretary, Public Health Department, Mumbai.
 - (b) Shri R.D. Deokar, I.A.S., Commissioner, Employees State Insurance Scheme, Mumbai.

5. Shri Pradeep Vyas, I.A.S., Additional Chief Secretary, Public Health Department, Mumbai and Shri R.D. Deokar, I.A.S., Commissioner, Employees State Insurance Scheme, Mumbai are directed as follows :-

- (a) They shall call for all papers pertaining to present O.A. and all files concerned.
- (b) They shall personally read all papers including present O.A..
- (c) Find out the date on which notice of O.A. and letters from learned P.O. were received, and the date on which the O.A. was brought to their notice.
- (d) After forming opinion if facts warrant, they shall take a conscious decision as to the stance to be taken to defend this O.A. by filing affidavit or to reconsider applicants' case, and place their decision on record in present O.A..
- (e) In case it is seen that the conscious decision to defend the case in proper manner was not taken before the date of this order, take decision as to what steps they would take and what procedure they would device, introduce and adopt, to have each case studied to identify the point involved, and then to take a decision as to modality of filing affidavit.
- (f) Find out reasons due to which affidavit-in-reply was not filed in present O.A. despite service of notice and grant of adequate time.
- (g) Place on record what modalities they would adopt to ensure punctual attendance to notices of this Tribunal and letters of learned P.O..
- (h) Show cause and reasons due to which each amongst them should not be ordered to pay costs personally in a sum of Rs.10,000/- each, towards negligence in attending to the O.A. and failure in filing affidavit-in-reply to the O.A..

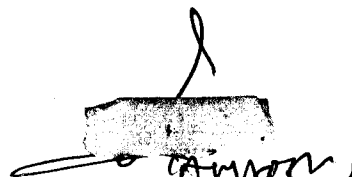
6. The affidavit answering the above points, and action, if any, taken thereon be filed on or before 22.08.2017.

7. Reply, if any, be filed before next date.

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

9. S.O. to 22.08.2017.


(Rajiv Agarwal)
Vice-Chairman


(A.H. Joshi J.)
Chairman

prk