IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION 1174 OF 2016

DIST : MUMBAI

Shri A.R Kadam ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

Shri M.D Lonkar, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

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

DATE : 21.06.2017

O R D E R

1. Heard Shri M.D Lonkar, learned advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate Shri M.D Lonkar has argued as follows:-

(a) 31.7.2002 is the date on which it is alleged that Applicant has committed a misconduct by writing to the Government to withhold issuance of retirement notification of Shri M.M. Surve, Assistant Commissioner of Police.

(b) On 27.11.2006 Applicant was served with first charge sheet under Rule 10 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

(c) Applicant was imposed with punishment of reversion for two years on 10.1.2007.

(d) On 14.3.2008 Applicant's appeal was allowed and punishment was set aside with liberty to the authority to issue modified punishment.

(e) On 2.7.2008, the authority has cancelled the order of punishment.

(f) On 18.12.2009 fresh charge sheet was issued to the Applicant under Rule 8 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

(g) On 7.5.2010 this Tribunal has set aside the charge sheet dated 18.12.2009 with liberty to the Respondents to issue fresh charge sheet, in the O.A filed by the applicant.

(h) On 24.4.2015, fresh charge is issued for the misconduct committed on 31.2.2002.

(i) Applicant has challenged the issuance of charge sheet by raising ground, that charge sheet issued on 24.4.2015 is in violation of Rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982.

3. Present Original Application is opposed by Respondent no. 2 by filing affidavit in reply, which is affirmed by Smt Archana Tyagi, Sp. I.G.P for Director General of Police.

4. The Applicant's contention that the charge sheet pertains to misconduct which is four years prior to issuance thereof is explained contending that the actions are continued. Lengthy arguments are advanced justifying on facts how the act of Applicant's conduct was of serious delinquency etc.

5. Thus the affidavit is filed besides answer to the fact of the matter as to how the charge sheet falls within any exception to Rule 27(2)(b) and also without answering each statement and averment contained in the O.A in various paragraphs.

6. The manner in which the reply is filed, it is considered necessary to direct that the Director General of Police himself should apply his mind and examine the case impartially and also keeping in mind the fact that concerned Officer who was benefited due to the alleged misconduct of the Applicant, was an officer whose appointing authority was Government and Applicant could have been charge sheeted for operating as a leverage for continuation of said officer Shri M.M Surve in employment, but fact remains that applicant may not be solely responsible. In the peculiar facts of the case it shall be of no use to ask any other subordinate officer to look into the matter.

7. A fact has to be borne in mind that if the neglect or error had occurred at the level of Government and if none at the level of Government was dealt with and tried for misconduct, a question would arise and will have to be examined and addressed by the Director General of Police himself, as to how an employee

who has no authority and yet could have become instrumental for sending a wrong proposal can be made solely responsible for any act or omission on the part of the Government, apart from other legal infirmities in the impugned order, which are urged/pleaded in the O.A.

8. It is, therefore, necessary to direct the Director General of Police to himself apply his mind and file his own affidavit as to whether he finds it possible to justify and reiterate that the action of issuance of charge sheet which is impugned in this Original Application is compatible with provisions of Rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982.

9. Learned Presenting Officer prays for two weeks' time. Needless to observe, either D.G.P or Government shall restrain from passing any adverse order, for which show cause notice is already served on the Applicant on 1.6.2017.

10. Steno copy and Hamdast allowed. S.O to 29.6.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

Place : Mumbai
Date : 21.06.2017
Dictation taken by : A.K. Nair.

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

21.06.2017

M.A 513/2016 in O.A No 1126 /2016

Shri D.N Kale ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

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

2. The cause of action pursued by the Applicant is in the nature of continuous and recurring.

3. In view of the matter, delay caused in filing the Original Application is condoned.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Sd/-
(A.H Joshi)
Chairman

Akn

DATE: 21/6/2017

CORAM:

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

Hon'ble Shri Rajiv Agarwal (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: M.A is allowed.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION 1126 OF 2016

Shri D.N Kale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

Shri C.T Chandratre, learned advocate for the applicant.

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

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

DATE : 21.06.2017

O R D E R

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

2. Issue notice before admission made returnable on 10.8.2017.

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. 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. Applicant has placed reliance on copy of G.R dated 31.3.1989. By this G.R various cadres have been amalgamated subject to certain conditions. Applicant claims merger in the cadre of Civil Engineering Assistant. According to the Applicant two conditions are prescribed, namely, undergoing training and passing of Departmental Examination. According to the Applicant, he has undergone the training. However, since examinations were not held, he cannot be denied absorption, since he has no opportunity to pass the examination.

8. Though the Original Application has been opposed by filing detailed affidavit in reply, crucial issues have not been dealt with.

9. In the aforesaid background, we direct the Secretary, Water Resources Department, to file his own affidavit in reply as to what is the legal impediment in granting to the Applicant the benefits of G.R dated 31.1.1989, (copy whereof is at Annexure-8, page 14 onwards). He should keep a fact in mind that though

passing of examination was prescribed, the aspect as to whether examination was at all held.

10. It shall not be necessary to file affidavit in reply if after scrutiny the Secretary finds that the claim of the Applicant has to be accepted. In that event, appropriate decision be rendered.

11. Secretary is put to notice that affidavit of any subordinate officer shall not be accepted or shall be acceptable.

12. Steno copy and Hamdast allowed. S.O 10.8.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

Place : Mumbai
Date : 21.06.2017
Dictation taken by : A.K. Nair.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI

Original Application No.390 of 2017

G.B. Tambat ....Applicant

Versus

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

Shri R. M. Kolge, the learned Advocate for the Applicant.

Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

CORAM : **Justice Shri A.H. Joshi, Chairman.**

Shri Rajiv Agarwal, Vice-Chairman.

DATE : **21.06.2017**

PER : **Justice Shri A.H. Joshi, Chairman.**

ORDER

1. Heard Shri R.M. Kolge, 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 prays for time for filing affidavit stating that instructions are still awaited.

3. Learned Advocate for the Applicant Shri R.M. Kolge was called to state as to when Respondents were served the notice.

4. Learned Advocate for the Applicant answered as follows:-

The Respondent No.1 was served on 6.6.2017 and the Respondents No.2 and 3 were served on 31.05.2017.

5. It appears that there is usual habit of the Respondents that they do not punctually respond to the Tribunal's notice. Their failure to contact the learned P.O. or failure to file reply does not shock or surprise though it disappoints us. Learned P.O. for the Respondents was called to furnish names of the officers holding all three posts.

6. Learned P.O. for the Respondents has furnished the names of the officers holding three posts of Respondents as follows:-

(1) Shri Sudhir Shrivastava, Additional Chief Secretary, Respondent No.1.

(2) Shri Sanjay Mohite, District Superintendent of Police, Kolhapur - Respondent No.2.

(3) Shri Vishwas Nangare Patil, Special Inspector General of Police, Kolhapur- Respondent No.3.

7. Learned P.O. for the Respondents took time and mentioned in the afternoon that representative from the office of the Respondent No.2 had arrived, but was waiting outside court hall.

8. In the present case the issue is of very stern action of summary dismissal under Article 311(2) (b) of the Constitution of India, and therefore approaching learned P.O. on the day of hearing is wholly inappropriate.

9. The negligent and reckless attitude shown to the Tribunal's notice, by the Respondents is grave so also it is serious as far as the Respondents No.1 and 3 are concerned.

10. The Superintendent of Police, Kolhapur is called to show cause as to why he should not be directed to pay costs of Rs. 25,000/- personally towards his failure to respond to the notice before due date and towards his failure to furnish affidavit before due date.

11. Though Respondents No.1 and 3 are formal parties yet their attention to the case is imperative. Therefore, Respondents No.1 and 3 shall furnish report as to what steps they would take to avoid failure to contact learned P.O. and cause appearance in the O.A..

12. Learned P.O. for the Respondents was called to state whether learned P.O. will communicate this order to Respondents.

13. Learned P.O. for the Respondents states that she will communicate this order to the Respondents.

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

15. S.O. to 10.07.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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
DATE : 21/6/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishnan (Member) A ~~Rajiv Agarwal VC~~ APPEARANCE : Shri ~~Sir~~ V.U. Sherkhane holding Shri R.G. Panchal Per Advocate for the Applicant Shri ~~Sir~~ K.B. Bhise C.P.O. / P.O. for the Respondent/s Adj. To 1/8/2017. MT	**Date : 21.06.2017** **O.A.No.101 of 2017** **A.M. Sayyed ....Applicant** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Shri V.U. Sherkhane, the learned Advocate holding for Shri R.G. Panchal, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents Shri K.B. Bhise states that the para-wise remarks are received and two weeks time may be granted. 3. Time as prayed for is granted. 4. S.O. to 1.08.2017. Sd/- (Rajiv Agarwal) Vice-Chairman Sd/- (A.H. Joshi, J.) Chairman sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

DATE : 21/6/2017

CORAM :

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

Hon'ble Shri M. Rameshkumar (Member) A ~~Rajiv Agarwal~~ VC

APPEARANCE :

Shri/Smt. V.P. Kadam .....

Advocate for the Applicant

Shri/Smt. K.B. Bhise .....

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

Admit.

Adj. To..... To come up for hearing on 11/9/2017.

Date : 21.06.2017

O.A.No.16 of 2017

G.T. Mendke **....Applicant**

Versus

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

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

2. Learned P.O. for the Respondents has tendered affidavit. It is taken on record.

3. Admit. To come up for hearing on 11.09.2017.

Sd/- Sd/-

(Rajiv Agarwal) **(A.H. Joshi, J)**

Vice-Chairman **Chairman**

sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (V.C.)
APPEARANCE :
Shri/Smt. S.S. Dere
Advocate for the Applicant
Shri/Smt. Archana B.K.
C.P.O / P.O. for the Respondent/s 1 & 2.
Adv. M.D. Lonkar for R. 3 to 6.
Adj. To 21/8/2017.

Date : 21.06.2017.

O.A.No.1160 of 2016

I.M.S. Shaikh ....Applicant.

Versus

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

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant, Smt. Archana B.K., the learned Presenting Officer for the Respondents No.1 & 2 and Shri M.D. Lonkar, the learned Advocate for the Respondents No.3 to 6.

2. Smt. Archana B.K., the learned Presenting Officer for the Respondents has tendered affidavit-in-reply on behalf of Respondent No.1, affirmed by Shri Shivaji S. Patankar, Joint Secretary office of Medical Education and Drugs Department, Mantralaya. It is taken on record.

3. Shri S.S. Dere, the learned Advocate for the Applicant prays for time.

4. Adjourned to 21.08.2017, with liberty to circulate before due date.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

DATE : 21/6/2017

CORAM :

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

Hon'ble Shri ~~M. Ramesh Kumar (Member) A~~ Rajiv Agarwal V/C

APPEARANCE :

Shri/Smt. : M.D. Lonkar

Advocate for the Applicant

Shri /~~Smt.~~ : D.B. Khaire spl. counse

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

Adj. To 28/7/2017.

Date : 21.06.2017.

O.A.No.462 of 2017

B.A. Patil **....Applicant.**

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri D.B. Khaire, the learned Special Counsel for the Respondent.

2. Shri D.B. Khaire, the learned Special Counsel for the Respondent prays for two week's time.

3. Time granted as prayed.

4. Adjourned to 28.07.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

DATE : 21/6/17

CORAM :

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

Hon'ble Shri ~~M. Ramakrishnakumar (Member) A~~ Rajiv Agarwal (V/C)

APPEARANCE :

Shri/~~Smt.~~ : D.H. Pawar

Advocate for the Applicant

Shri /~~Smt.~~ : K.B. Bhise

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

Admit.

Adj. To. To come up for hearing in due course

Date : 21.06.2017.

O.A.No.955 of 2016 with O.A.No.956 of 2016 with O.A.No.985 of 2016 with O.A.No.986 of 2016

R.R. Shaikh & Ors. (O.A.No.955/2016)

S.S. Kate & Ors. (O.A.No.956/2016)

S.A. Shinde (O.A.No.985/2016)

R.V. Bhite (O.A.No.986/2016) ....Applicants.

Versus

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

1. Heard Shri D.H. Pawar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Shri D.H. Pawar the learned Advocate for the Applicants states that he may be permitted to file affidavit-in-rejoinder.

3. Leave to file affidavit-in-rejoinder granted.

4. Admit. To come up for hearing in due course.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

(G.C.P.) J 2260(B) (50,000--2-2015) [Spl.- MAT-F-2 E.

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

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~M. Ramesh Kumar (Member) A~~ Rajiv Agarwal (VC)

APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri /Smt. : Archana B.K.
C.P.O / P.O. for the Respondent/s

~~Adj. To~~ Advocate shall be free to seek order for notice from the Registry.

Date : 21.06.2017

O.A.No.498 of 2017

S.Y. Lahigude **....Applicant**

Versus

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

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

2. At the request of the learned Advocate for the Applicant, removed from board.

3. Advocate shall be free to seek order for notice from the Registry.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

sba

(G.C.P.) J 2200(B) (50,000—2-2015) (Spl.- MAT-F-2 E.

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
DATE : 21/6/17 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : N.D. Thombare Advocate for the Applicant Shri/Smt. : S. Suryawanshi C.P.O / P.O. for the Respondent/s Adj. To Liberty to circulate after six months is granted. Adj. To C.P.O / P.O. for the Respondent/s Shri/Smt. : Advocate for the Applicant Shri/Smt. : APPEARANCE : Hon'ble Shri M. Rameshkumar (Member) A Hon'ble Justice Shri A. H. Joshi (Chairman) CORAM : DATE :	**Date : 21.06.2017** **M.A.No.255 of 2017 in O.A.No.820 of 2015 (N'pur)** **C.H. Parate ....Applicant** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Shri N.D. Thombare, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. Liberty to move after six months is granted. Sd/- **(A.H. Joshi, J.)** **Chairman** sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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
DATE : 21/6/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal V/C APPEARANCE : Shri/Smt. : A.S. Yadav applin Person. Advocate for the Applicant Shri/Smt. : Archana. B.K. ~~C.P.O~~ / P.O. for the Respondent/s Adj. To 23/6/2017.	**Date : 21.06.2017.** **O.A.No.262 of 2016** **A.S. Yadav** ....Applicant. **Versus** **The State of Maharashtra & Ors.** .....Respondents. 1. Heard Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. Shri A.S. Yadav, Applicant present in person. 3. Smt. Archana B.K., the learned Presenting Officer for the Respondents prays for time to read and prepare. 4. Time granted as prayed. 5. Adjourned to 23.06.2017. Sd/- Sd/- **(Rajiv Agarwal) (A.H. Joshi J.)** **Vice-Chairman Chairman** prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 21.06.2017.

O.A.No.56 of 2017

A.S. Chavan **....Applicant.**

Versus

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

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

2. Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents states that affidavit-in-reply are ready and those were tendered for perusal.

3. We thought it necessary to point out that record relating to medical certificate from the office of Sir J.J. Group of Hospitals should have been traced, to find out as to the circumstances in which the Applicant was certified to be fit in September, 2015.

4. Learned Presenting Officer for the Respondents states as follows :-

(a) All such enquiries as may be necessary would be made and appropriate affidavit-in-reply would be filed only thereafter.

(b) Four week's time may be granted for the same.

5. Time granted as prayed.

6. Let the affidavit-in-reply be filed on or before 25.07.2017.

7. S.O. to 25.07.2017.

Sd/- Sd/-

(Rajiv Agarwal) **(A.H. Joshi)**
Vice-Chairman **Chairman**

prk

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (VC)
APPEARANCE :
Shri/Smt. : B.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 25/7/2017.

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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
DATE: 21/6/2017 CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal (V/C) APPEARANCE: ~~Shri~~/Smt.: S.P. Manchekar Advocate for the Applicant ~~Shri~~/Smt.: Archana B.K. ~~C.P.O~~ / P.O. for the Respondent/s 1 to 3. Adj. To 1/8/2017.	Date : 21.06.2017. O.A.No.1089 of 2016 U.A. Gadale & Ors. ....Applicants. Versus The State of Maharashtra & Ors. .....Respondents. 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents No.1 to 3. 2. Learned Advocate prays for three week's time for filing affidavit-in-rejoinder. 3. Time granted as prayed. 4. S.O. to 01.08.2017. Sd/- Sd/- (Rajiv Agarwal) (A.H. Joshi J.) Vice-Chairman Chairman prk

(G.C.P.) J 2200(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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FARAD CONTINUATION SHEET NO.

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

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal (VC)
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 18/7/2017.

Date : 21.06.2017

O.A.No.150 of 2017

V.M. Salokhe ....Applicant

Versus

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

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. After hearing for some time learned Advocate for the Applicant prays for time to prepare and address on the question of effect of delay in raising objection to the error in the key published by recruiting authority and adverse effect of the chances of the Applicant.

3. S.O. to 18.07.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

sba

(G.C.P.) J 2200(B) (50,000--2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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FARAD CONTINUATION SHEET NO.

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

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Vice-Chairman) A/C
APPEARANCE :
Shri/Smt. : S.H. Mane appl. in person.
Advocate for the Applicant
Shri /Smt. : N.G. Gohad
C.P.O / P.O. for the Respondent/s

Adj. To 28/6/2017.

Date : 21.06.2017

O.A.No.345 of 2017

S.H. Mane ....Applicant

Versus

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

1. Heard Shri S.H. Mane, the Applicant in person and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents Ms. N.G. Gohad prays for time on instructions received from Smt. Varsha Deshmukh, Under Secretary, Women and Child Development Department till 28.6.2017 with further statement that the matter will be processed which is within the control of the department of Respondent No.3 by that date and thereafter report would be made.

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

4. S.O. to 28.06.2017.

Sd/- Sd/-

(Rajiv Agarwal) Vice-Chairman **(A.H. Joshi, J.) Chairman**

sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.]

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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 : 21/6/2017

CORAM :

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

Hon'ble Shri Rajiv Agarwal (Member) A/C

APPEARANCE :

Shri/Smt. : None for the appl.

Advocate for the Applicant

Shri /Smt. : Archana B.K.

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

Adj. To 28/6/2017.

Date : 21.06.2017

C.A.No.30 of 2017 in O.A.No.864 of 2015

A.V. Lanke ....Applicant

Versus

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

1. None for the Applicant. Heard Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. The Applicant's case for continuation of service between the period of 1977 to 1982 is resubmitted.

3. Today the file will go to the G.A.D. and thereafter it will be submitted to the Finance Department.

4. Learned P.O. for the Respondents prays for week's time for reporting action.

5. S.O. to 28.06.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

sba

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 21/6/2017 CORAM : Hon'ble Justice Shri A.H. Joshi (Chairman) Hon'ble Shri ~~M. Ramesakumar (Member) A~~ Rajiv Agarwal (VC) APPEARANCE : ~~Shri/Smt.~~ : S.P. Manchekar Advocate for the Applicant Shri /Smt. : Archana B.K. C.P.O / P.O. for the Respondent/s Adj. To 1/8/2017.	**Date : 21.06.2017.** **O.A.No.1 of 2017** **M.R. Ahire ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. Learned Advocate prays for three week's time for filing affidavit-in-rejoinder. 3. Time granted as prayed. 4. S.O. to 01.08.2017. Sd/- Sd/- **(Rajiv Agarwal) (A.H. Joshi)** **Vice-Chairman Chairman** prk

(G.C.P.) J 2260(B) (50,000--2-2015) (Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (Vice-Chairman) ~~Hrishikumar (Member) A~~
APPEARANCE :
Shri/Smt. Dipti Nikhade
Ld. Advocate holding for Adv. D.V. Sutar for the Applicant
Shri /Smt. K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To 23/6/2017.

Date : 21.06.2017

O.A.No.534 of 2017

S.P. Ingale ....Applicant
Versus
The State of Maharashtra & Ors. .....Respondents.

1. Heard Ms. Dipti Nikhade, the learned Advocate holding for Shri D.V. Sutar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. At the request of the learned Advocate for the Applicant, adjourned to 23.06.2017.

Sd/- Sd/-

(Rajiv Agarwal) (A.H. Joshi, J.)
Vice-Chairman Chairman

sba

(G.C.P.) J 2260(B) (50,000—2-2015)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 21/6/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal (VC) 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 Admit Adj. To. To come up for hearing in due course. BPK	**Date : 21.06.2017.** **O.A.No.995 of 2016** **U.M. Kadu** ....Applicant. **Versus** **The State of Maharashtra & Ors.** .....Respondents. 1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Shri S.D. Khati, the learned Advocate for the Applicant is absent. 3. Admit. To come up for hearing in due course. Sd/- Sd/- **(Rajiv Agarwal) Vice-Chairman** **(A.H. Joshi J.) Chairman** prk

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 21/6/2017 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajiv Agarwal (Member) A APPEARANCE : Shri/Smt. : Home for the appl. Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 21/8/2017.	**Date : 21.06.2017.** **O.A.No.996 of 2017** **S.R. Sangle ....Applicant.** **Versus** **The State of Maharashtra & Ors. .....Respondents.** 1. Heard Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. Shri S.D. Khati, the learned Advocate for the Applicants is absent. 3. At the request of Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents adjourned to 21.08.2017. Sd/- Sd/- **(Rajiv Agarwal) (A.H. Joshi J.)** **Vice-Chairman Chairman** prk

(G.C.P.) J 2260(B) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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FARAD CONTINUATION SHEET NO.

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

DATE : 21/6/2017

CORAM :

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

Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal (V)

APPEARANCE :

Shri/~~Smt.~~ C.T. Chandratre

Advocate for the Applicant

Shri/Smt. : S. Suryawanshi

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

Admit.

Adj. To To come up for hearing in due course.

Date : 21.06.2017.

O.A.No.1060 of 2016

S.N. Balla ....Applicant.

Versus

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

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents has tendered affidavit-in-reply on behalf of Respondent No.1, affirmed by Dr. Namdev K. Bhosale, Deputy Secretary (Ind-3) office of Industry, Energy and Labour Department, Mantralaya. It is taken on record.

3. Shri C.T. Chandratre, the learned Advocate for the Applicant prays for three week's time.

4. Admit. To come up for hearing in due course.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

prk

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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

21.06.2017

O.A No 825 /2016

Shri D.B Kalokhe ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri C.T Chandratre, learned advocate for the Applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer prays for time. Granted by way of last chance.

3. S.O to 27.6.2017.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

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

Akn

DATE : 21/6/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri Rajiv Agarwal (V.C)
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 27/6/2017.

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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: 21/6/2017 CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri ~~M. Ramakrishnan (Member) A~~ Rajiv Agarwal (VC) APPEARANCE: Shri/Smt. : None for the appl. Advocate for the Applicant ~~Shri~~ /Smt. : T.G. Gohad C.P.O / P.O. for the Respondent/s Adj. To 22/8/2017. Akn	**21.06.2017** **M.A 102/2017 in O.A No 185/2017** Shri V.R Deshmukh ... Applicant Vs. The State of Maharashtra & Ors... Respondents 1. None for the Applicant. Heard Ms Neelima Gohad, learned Presenting Officer for the Respondents. 2. It appears that the name of the learned Advocate is misspelt, hence adjourned. 3. S.O to 22.8.2017. Applicant shall be free to take fresh notice. Sd/- (Rajiv Agarwal) Vice-Chairman Sd/- (A.H Joshi, J) Chairman Akn