directions and Registrar's orders

DATE : 21/12/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:
Shri/Smt. : Nagesh Y. Chavan
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O/P.O. for the Respondent/s
Adj./S.O. to OA is allowed.

Date : 21.12.2017.

O.A.No.1176 of 2017 with O.A.No.1177 of 2017
(Subject : Recruitment)

D.S. Gumane (O.A.No.1176/2017)

C.P. Dinni @ Pujari (O.A.No.1177/2017)

....Applicants.

Versus

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

1. Heard Shri Nagesh Y. Chavan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Case is taken up for final disposal in the background that this case is replica of the claim as decided by Hon'ble High Court in W.P.No.10396 of 2016 decided on 08.12.2016.

3. For the reasons recorded in Writ Petition No.10396 of 2016, present O.A. is allowed in terms of prayer 10(a) which reads as follows :-

> "10(a) This Hon'ble Tribunal be pleased to quash and set aside the impugned oral order dated 25.10.2017 passed / issued by the Respondent No.3, wherein refused to entertain the Applicant's candidature against un-reserved open merit vacancy of horizontal reservation and not permitting the Applicant to appear for interview of the Recruitment for the post of Police Sub Inspector, 2016."
>
> (Quoted paragraph a, page 13 of O.A. paper book.)

4. Parties are directed to bear own costs.

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

prk

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 21/12/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:
Shri/Smt. M.D. Lonkar
Advocate for the Applicant
Shri/Smt. K.S. Gaikwad
C.P.O/P.O. for the Respondent/s
Adj/S.O. to OA is disposed.

Date: 21.12.2017.

O.A. 1144 of 2017

Shri Sampat Rakhamaji Mundhe ....Applicants.

Versus

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

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

2. Learned Advocate for the applicant states that the purpose of filling O.A. is accomplished since applicant's request for Voluntary Retirement is accepted by the Government and order to that effect is issued.

3. In view of the statement of learned Advocate, O.A. is disposed.

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

nmn

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 21/12/17

CORAM :

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

APPEARANCE:

Shri/Smt. : S. Suryawanshi

Advocate for the Applicant < Org. ~~Appl.~~ Resp.

Shri/Smt. : M. D. Lonkar Ld. Adv.

~~C.P.O/~~P.O. for the Respondent/s (Org. Appl.)

Adj./S.O. to MA is dismissed.

BPK

Date : 21.12.2017.

M.A.No.547 of 2017 in O.A.No.405 of 2017

The State of Maharashtra & Ors.

....Applicant (Org. Respondents).

Versus

D.R. Rajmane

.....Respondent (Org. Applicant)

1. Heard Ms. S. Suryawanshi, the learned Presenting Officer for the Applicant (Org. Respondent) and Shri M.D. Lonkar the learned Advocate for the Respondents (Org. Applicant).

2. Admittedly Applicant's claim for promotion is based on wrongful supersession on irrelevant grounds.

3. The use of shield of General Administration Department's circular on the ground of amended Reservation Law and the decision to withhold promotion is totally erroneous and unjustified.

4. Hence, M.A. is dismissed.

Sd/-

(A.H. Joshi J.)
Chairman

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.848 OF 2017

DISTRICT: Jalgaon

Dr. Y. U. Sathe **....Applicant.**

Versus

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

Shri A. S. Deshpande, the learned Advocate for the Applicant.

Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 21.12.2017.

ORDER

1. Heard Shri A.S. Deshpande, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 17.01.2018.

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. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record

8. Respondents are put to notice that no further time for filing affidavit would be granted in the background that case is already rolling on board for considerable time and short affidavits are already filed.

9. It is hoped that the compliance of earlier order dated 15.12.2017 would be done on the next date.

10. Advocate for applicant prays for liberty to substitute page Nos.25 to 30 by a typed copy.

11. Leave as prayed is granted.

12. S.O. to 17.01.2018.

Sd/-

(A.H. Joshi J.)
Chairman

E:\VSO\2017\Oct. 17\O.A.929-17.doc

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

O.A. No.1083 of 2017 with O.A. No.1035 of 2017

Shri V.S. Wayangankar & Ors. (OA.1083/17)
Shri S.D. Kumbhare & Ors. (OA.1035/17)
..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri Shrikant Patil, learned advocate for the applicants in OA No.1083 of 2017, Shri Gunratan Sadavarte, learned Advocate for applicants in OA No.1035 of 2017 and Miss S.P Manchekar, learned Chief Presenting Officer with Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.

2. Ld. CPO prays for time for verifying as to whether applicants' cases are squarely governed by ratio of the decision in OA No.524 of 2017 in all respects and also as to whether there is no difference whatsoever.

3. Ld. CPO states on instructions that applicants' interest can be safeguarded for which instructions are received from Shri Rajkumar Vhatkar, Inspector General of Police (Establishment) that if applicants succeed in present OA, they shall not be denied chance of admission to the Training of promotional post, which is due to commence soon.

4. In view of request and statement made by Ld. CPO, S.O. to 8.1.2018 for reply and for hearing.

5. In case, cases of applicants is replica of decided OA and not distinguishable undue exertion to contest may be avoided.

6. S.O. to 8.1.2018.

Sd/-

(A.H Joshi, J.)
Chairman
21.12.2017

DATE : 21/12/2017
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:
Shri/Smt. : Shrikant Patil
Advocate for the Applicant (O.A. 1083/17)
Adv. Gunratan Sadavarte for Appl.
Shri/Smt. : (O.A. 1035/17)
C.P.O/P.O. for the Respondent/s
~~Adj./S.O. to~~ Miss S.P. Manchekar
Ld. C.P.O. with Shri N.K. Rajpurohit
P.O. for Resps.
S.O. 8/1/2018.