

**ADMINISTRATIVE TRIBUNAL
MUMBAI**

of 20

of 20


INUATION SHEET NO.

Tribunal's orders

Date : 22.01.2016.

C.A.No.37 of 2015 in O.A.No.1068 of 2014

1. Heard Shri K.R. Jagdale, 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 states as follows:-
 - (a) That all arrears have been paid to the Applicant.
 - (b) His regular pension will be commenced by end of this month.
3. Learned Advocate for the Applicant wants to wait till the pension amount is created.
4. Hence adjourned to 9.02.2016.


(A.H. Joshi, J) Sr
Chairman

sba

Office Note, Office Memoranda of Coram, Appearances, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

O.A.47/2016

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

Issue notice returnable on 12.02.2016.

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 12th February, 2016.

DATE: 22/1/16 *D/B*

CORAM:

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

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

APPLICANT:

L.S. Deshmukh

ADDRESS: *A. H. Joshi*

Shri *N.K. Rajpurohit*

City for the Respondents

Adj. To 12/2/16

B/E

R.B. Malik
(R.B. Malik) *22-1-16*
Member (J)
22.01.2016

(skw)

**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 Council, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. 1058/2015

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

On the request of the learned P.O. Ms. Gohad, adjourned to Affidavit-in-reply to 12th February, 2016.

(Handwritten signature)
22-1-16

(R.B. Malik)
Member (J)
22.01.2016

(skw)

DATE: 22/1/16 D/B.

CORAM:

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

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

APPEARANCE:

Shri C.T. Chandratre

Advocate for the Applicant

Shri N.G. Gohad

P.O. for the Respondent/s

Adj. To: 12/2/16

(Handwritten mark)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MA/RA/CA 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
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O.A.84/2016

Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

The matter is adjourned for consideration of interim orders and the matter will be heard on that day, regardless of whether the reply is filed or not. The Respondents should produce the record showing the salary of November, December, 2015 and by then, if the case be of January, 2016 also should be produced before the Tribunal.

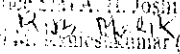
S.O. to 29th January, 2016.


 22-1-16
 (R.B. Malik)
 Member (J)
 22.01.2016

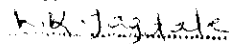
(skw)

DATE: 22/1/16 


CORAM:

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

APPEARANCE:

Shri 

Adv. for the Applicant

Shri 

Officer for the Respondent/s

Adj. to 29/1/16



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MA/RA/CA 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
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O.A.1078/2015

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Applicant is also present. Mr. Lonkar, the learned Advocate tenders a copy of the order dated 21.1.2016 whereby the Applicant came to be promoted. The same is taken on record and in view thereof, Mr. Lonkar's request for permission to withdraw the OA is granted. The same is accordingly disposed of as withdrawn with no order as to costs.


22-1-16

(R.B. Malik)
Member (J)
22.01.2016

(skw)

DATE: 22/1/16 P/B

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Mr. H. Ramasankar (Member) A-1

APPEARANCE:

Shri M.D. Lonkar

Advocate for Applicant

Shri Smt. K.S. Gaikwad holding for
C.P.O./P.O. for the Respondent/s

Ms. N.G. Gohad for for K/S

Adv. To. C.P.O. disposed of

as withdrawn.



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

O.A.743/2014

Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri A.J. Chougule holding for Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Affidavit-in-rejoinder taken on record. Admit. Liberty to mention granted. The Sur-rejoinder if it is to be filed, it must be filed on and not after the next date.


22-1-16
(R.B. Malik)
Member (J)
22.01.2016

(skw)

DATE: 22/1/16 plb

CORAM:

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

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

APPEARANCE:

Shri S.S. Dere

Advocate for the Applicant

Shri A.J. Chougule

Advocate for the Respondent/s

Admit

Adj. to Liberty to mention

granted

plb

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MA/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

O.A.404/2015

Heard Shri K.D. Bhosale, the learned Advocate for the Applicant and Shri A.J. Chougule holding for Ms. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Shri Bhosale, the learned Advocate for the Applicant makes a statement that the Applicant does not want to file Rejoinder. Admit. Liberty to mention granted.

(R.B. Malik) 22.1.16
Member (J)
22.01.2016

(skw)

DATE: 22/1/16 *dk*

CORAM:

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

APPEARANCE:

For Applicant *K.D. Bhosale*

For Respondent

Shri A.J. Chougule

C.P.O. for the Respondent/s

Admit

Adj. To *Liberty to mention*

granted

dk

**ADMINISTRATIVE TRIBUNAL
MUMBAI**

of 20

of 20

CONTINUATION SHEET NO.

Tribunal's orders

Date : 22.01.2016.

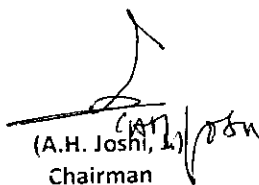
C.A.No.101 of 2015 in O.A.No.1086 of 2012

1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicants and Shri M.V. Thorat, the learned Special Counsel for the Respondents.

2. Learned Advocate for the Applicants Ms. S.P. Manchekar states as follows :-

The State has carried out the order passed by this before the Hon'ble High Court by filing the Writ Petition which is expected to come up for hearing on 27.01.2016.

3. In view of the filing of Writ Petition hearing of this application is adjourned to 08.08.2016, with liberty to circulate before due date.


(A.H. Joshi, J.)
Chairman

prk

**ADMINISTRATIVE TRIBUNAL
MUMBAI**

of 20

of 20

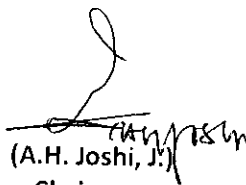
INUATION SHEET NO.

Tribunal's orders

Date : 22.01.2016.

C.A.No.128 of 2015 in O.A.No.993 of 2011

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Ms. N.G. Gohad, the Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents states as follows:-
 - (a) Joint Secretary Shri R.S. Jadhav is present and he states that the matter is under process and file has been submitted before the Hon'ble Minister for approval.
 - (b) If the decision for taking appropriate steps is taken, application for enlargement to time will be filed before this tribunal.
4. For reporting compliance adjourned to 5.02.2016.


(A.H. Joshi, J.)
Chairman

sba

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

**C.A.No.15 of 2015 in O.A.No.531 of 2013 with
C.A.No.16 of 2015 in O.A.No.532 of 2013 with
C.A.No. 17 of 2015 in O.A.No.533 of 2013 with
C.A.No.18 of 2015 in O.A.No.605 of 2013 with
C.A.No.19 of 2015 in O.A.No.606 of 2013 with
C.A.No.20 of 2015 in O.A.No.607 of 2013 with
C.A.No.21 of 2015 in O.A.No.608 of 2013**

Dr. Ramnath S/O Ganpat Raut,)...Applicant

VERSUS

Mrs. Sujata Saunik & two ors.)...Respondents

Shri J.S. Deshmukh has filed a leave note.

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

DATE : 22.01. 2016.

ORDER

1. Learned Advocate for the Applicant Shri J.S. Deshmukh has filed a leave note. Heard Smt. K.S. Gaikwad, the Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents states on instruction received from Shri R.D. Kulkarni, Administration Officer, Public Health Department as follows:-

The Writ Petition filed challenging the order passed by the Tribunal before the Hon'be High Court on 7.08.2015 and the hearing is fixed on 23.02.2016.

3. It is seen that the operative order passed by this Tribunal dated 28.04.2014, paragraph No.8, page nos.22 and 23 reads as follows:-

"Having regard to the aforesaid facts and circumstances, we direct the Respondents to consider the case of all the above applicants for condoning technical breaks and extent other benefits like annual increments and earned leave and benefits having regard to the provision of Rule 30 & Rule 48 of the Maharashtra Civil Services (Pension) Rules, 1982. The service before regular appointment by nomination as per Recruitment Rules will, however, not be counted for the purpose of seniority in service. The Original Application are disposed of accordingly with no order as to costs".

(Quoted from paragraph no.8 (page nos.22 & 23)of O.A.No.531 of 2013)

4. What was directed is to consider the claim with reference to Rule 30 and Rule 48 of M.C.S (Pension) Rules, prima facie the order is innocuous and unless legal impediment for such consideration exists even challenge thereto could have been avoided.

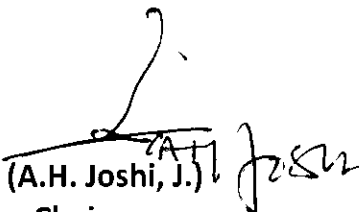
5. Therefore, the Respondent No.1 is directed as follows:-

To file affidavit in reply and state that what exact legal impediment to consider the case of the Applicants pursuant to the direction of the Tribunal passed in O.A. 531 of 2013 on 28.4.2014.

6. Learned P.O. for the Respondents is directed to communicate this order to the Respondents.

7. Steno copy and Hamdast is allowed to learned P.O. to communicate this order.

8. S.O. to 5.02.2016.


(A.H. Joshi, J.)
Chairman

**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
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O.A.56/2012

Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

Heard. Last chance granted for Affidavit-in-reply to the amended OA, making it clear that no further adjournment shall be given which must be carefully noted by the Respondents.

S.O. to 29th January, 2016.

FILE: 22/1/16

GRAM:

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

Hon'ble Shri S. B. MALIK (Member) ✓

APPEARANCE:

Shri/Smt. K. R. Jagdale

Advocate for the Applicant

Smt. K. S. Gaikwad

Presenting Officer for the Respondents

Order passed in the Tribunal's

Coram.

S.O. to 29/1/16

Handwritten initials/signature

Handwritten signature of R.B. Malik
22-1-16

(R.B. Malik)
Member (J)
22.01.2016

(skw)

Handwritten signature of Rajiv Agarwal
Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman
22.01.2016

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

Tribunal's orders

R.A.42/2015 in O.A.254/2004

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

Issue notice returnable on 18.02.2016.

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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 18th February, 2016.

DATE: 22/1/16

CORAM:

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

Hon'ble Shri R. B. MALIK (Member) ✓

APPEARANCE:

Shri ~~Smt.~~ C.T. Chandratre
Advocate for the Applicant

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

order passed in
the Tribunal's
presence.

S.O. to 18/2/16.

(Signature)
22-1-16

(R.B. Malik)
Member (J)
22.01.2016

(Signature)
Rajiv Agarwal
Vice-Chairman
22.01.2016

(skw)

(Signature)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

C.A./O.A./A.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 : 22.01.2016.

C.A.No.36 of 2015 in O.A.No.288 of 2013

1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant states that he wants to demonstrate as to which part the operative order passed in O.A. is disregarded.
3. He therefore prayed for leave to substitute the O.A.
3. Leave to amend for substitution is granted.
4. Substitution be carried out within two weeks.
5. C.A. is listed for hearing on 10.02.2016.

DATE: 22/1/16

D/W

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri B.A. Bandiwadekar



O.A.68/2016

Heard Shri R.K. Mendadkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

It is recorded that the matter has been placed before me for urgent relief. The Applicant is also present. The learned P.O. makes submissions on the basis of the instructions given to her in the Court by Shri Ajay Jadhav, Dy. Superintendent of Stamps.

The Applicant vide the impugned order has been reverted from the post of Inspector of Stamps to the post of Clerk-cum-Typist in the office of the Respondent No.2. The ground for the same was the invalidation of his Caste Certificate by the order dated 24th May, 1999. At this stage itself, it is remarkable to note the time distance from then till 2015-16. The learned P.O. on instructions submits that a departmental enquiry was held against the Applicant in 1999, but no punishment was awarded. The whole thing is too self-evident to mention anything because if I can afford to avoid using strong language as of today, I think I should do that. The Respondents shall take care to make sure that they will produce all the relevant documents on the next date. However, the above referred facts when studied in the context of the legal position which obtains *inter-alia* as a result of the judgment of the Full Bench of the Hon'ble Bombay High Court in Nagpur Bench in **Arun Vs. The State of Maharashtra, 2015(1) MLJ 457** and a number of judgment therein referred to, the Applicant cannot be left entirely unprotected. Mr. Mendadkar, the learned Advocate on instructions from the Applicant informs that even today, the Applicant had marked his presence as Inspector and not Clerk. Therefore, the factual position that even as the impugned order has been issued, in actual fact, the Applicant continues to hold the post of Inspector is defined as status quo and the parties are directed to maintain till the date next to the filing of the Affidavit-in-reply to the OA and it is made clear that during the period that this interim order remains current, the Applicant shall not be made or forced to sit idle. With this interim relief, it is directed to issue notice returnable on 22.02.2016.

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 22nd February, 2016. Hamdast.

Sd/-
(R.B. Malik)
Member (J)
22.01.2016

(skw)

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

Tribunal's orders

Date : 22.01.2016.

O.A.No.810 of 2009 with O.A.No.564 of 2008 with
O.A.No.565 of 2008 with O.A.No.563 of 2008 with
O.A.No.580 of 2008 with O.A.No.735 of 2008 with
O.A.No.645 of 2008 with O.A.No.48 of 2009 with
O.A.No.67 of 2009 with O.A.No.63 of 2009 with
O.A.No.89 of 2009 with O.A.No.167 of 2009 with
O.A.No.793 of 2009 with O.A.No.819 of 2015
(O.A.Stamp No.524 of 2010) with O.A.No.820 of 2015
with M.A.No.224 of 2010

1. Heard Shri A.S. Gadre, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting for the Respondents.
2. The Group of Original Applications is taken up for hearing. It is pointed out that in view of pendency of Writ Petitions in Hon'ble High Court and in view of Full Bench judgment of the Tribunal the plea of the Government opposing similar relief is already upheld.
3. In this view of the matter let the Original Applications come up for hearing after the decision of Writ Petition No.16663 of 2009 and connected Writ Petitions.
4. Hence, the hearing is adjourned for due course.

DATE: 22/1/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member)

APPEARANCE:

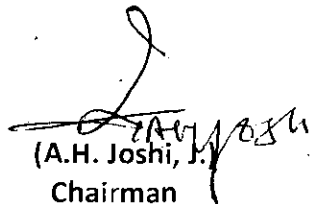
Shri/Smt. : A.S. Gadre

Advocate for the Applicant

Shri/Smt. : N.K. Rajpurohit

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

Adj. To: Due course


(A.H. Joshi, J.)
Chairman

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20

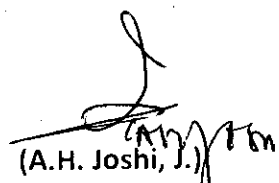
FARAD CONTINUATION SHEET NO.

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Date : 22.01.2016.

M.A.No.180 of 2015 in O.A.No.181 of 2015

1. Heard Ms. N.G. Gohad, the learned Presenting for the Respondents.
2. None for the Applicant.
3. Learned P.O. for the Respondents Ms. N.G. Gohad has pointed out that though leave to amend was granted by order dated 14.10.2015, amendment is not been carried out.
4. In view that non appeared for the applicant list the O.A. and M.A. for disposal on 09.02.2016.


(A.H. Joshi, J.)
Chairman

prk

DATE: 22/1/16

CORAM:

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

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

APPEARANCE :

Shri/Smt. : ~~None for the Applicant~~

Advocate for the Applicant

Shri /Smt. : N.G. Gohad

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

Adj. To. O.A. and MA for disposal on 9/2/16.

4

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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Date : 22.01.2016.

O.A.No.657 of 2014

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting for the Respondents.
2. Learned Advocate for the Applicant Shri C.T. Chandratre prays for time to prepare and address the court.
3. Time as prayed for is granted.
4. Adjourned to 19.02.2016.

DATE: 22/1/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : C. T. Chandratre

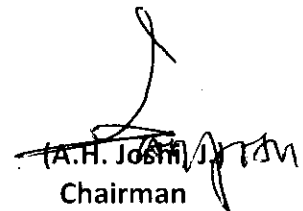
Advocate for the Applicant

Shri /Smt. : N.K. Rajpurohit

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

Adj. To: 19/2/16

f


A.H. Joshi
Chairman

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 22.01.2016.

O.A.No.161 of 2014 with O.A.No.162 of 2014 with O.A.No.167 of 2014 with O.A.No.189 of 2014 with O.A.No.190 of 2014 with O.A.No.1046 of 2014 with O.A.No.968 of 2014

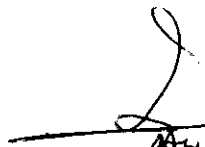
1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants, Ms. N.G. Gohad, the learned Presenting Officer for the Respondents and Ms. S.P. Manchekar, the learned Advocate Respondent No.5.

2. Learned P.O. for the Respondents Ms. N.G. Gohad on instructions from Shri Upasani, Law Officer states as follows :-

One more week's time may be granted for making the statement as to when the meeting would be held and the decision in the matter would be taken by the P.E.B.-II.

3. Steno copy and Hamdast is allowed to learned P.O..

4. S.O. to 28.01.2016.


(A.H. Joshi,
Chairman

prk

DATE : 22/1/16

CORAM :

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

Hon'ble Shri M. Rameshkumar (Member)

APPEARANCE :

Shri/Smt. : P. Mahajan

Advocate for the Applicant

Shri/Smt. : N.G. Gohad

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

Smt. S.P. Manchekar Adv. for

Ad. To : 28/1/16 RESP-NO.5

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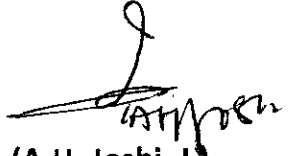
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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>DATE: <u>22/1/16</u></p> <p><u>CORAM:</u> Hon'ble Justice Sri A. M. Joshi (Chairman) Hon'ble Sri M. Ramnathkumar (Member)-A</p> <p><u>APPEARANCE:</u> Sri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant Sri/Smt. <u>N.G. Gohad</u> C.F.C./P.O. for the Respondent/s</p> <p>Adj. To. <u>18/2/16</u></p> <p style="text-align: right;"><i>B.K.</i></p>	<p>Date : 22.01.2016.</p> <p style="text-align: center;">O.A.No.1055 of 2015 with M.A.No.603 of 2015</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents states as follows:- That the papers are received, however time is required for filing reply. 3. Learned Advocate for the Applicant states that the crucial ground on which the sustainability of punishment will have to be decided are narrated in paragraph no.6.12. 4. Therefore Respondents are directed to file affidavit focusing on paragraph no.6.12 of the O.A. 5. Learned Advocate for the Applicant prays for inspection of the enquiry papers. 6. Learned P.O. is directed to give inspection of papers to Advocate for the Applicant and the Applicant. 7. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents. 8. S.O. to 18.02.2016. <p style="text-align: right;"> (A.H. Joshi, J.) Chairman</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
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Date : 22.01.2016.

O.A.No.326 of 2015

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant prays for time for filing rejoinder.
3. Time as prayed for is granted.
4. Rejoinder be filed within three days.
5. For hearing adjourned to 18.02.2016..


 (A.H. Joshi, J.)
 Chairman

sba

DATE: 22/1/16

CORAM:

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

Hon'ble Shri M. Pramesh Kumar (Member) A.

APPEARANCES:

Shri/Adv. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To 18/2/2016



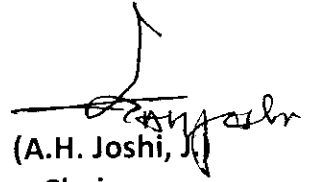
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>DATE: <u>22/1/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramasubramanian (Member) A.</p> <p>APPEARANCE: Shri/Smt. : <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. : <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>17/2/16</u></p> <p align="right">B/R</p>	<p>Date : 22.01.2016.</p> <p align="center">O.A.No.1073 of 2015</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents states as follows:-</p> <p>(a) Record is received and would be tendered for perusal.</p> <p>(b) Applicant was called to furnish options which are still awaited.</p> <p>3. Learned Advocate for the Applicant Shri K.R. Jagdale prays for adjourned to 17.02.2016.</p> <p align="right">  (A.H. Joshi, J) Chairman </p> <p>sba</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2016.

O.A.No.1080 of 2015

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondent.
2. Learned C.P.O. for the Respondent Shri N.K. Rajpurohit states that instructions are received and three weeks time is required.
3. Time as prayed for is granted.
4. Learned Advocate for the Applicant Shri M.D. Lonkar states that it shall suffice if the contents of paragraph 7.4 of the O.A. are replied and reply to other averments may not be necessary.
5. It is expected that reply to the basic crucial issue should be filed.
6. Steno copy and Hamdast is allowed to learned C.P.O. to communicate this order to the Respondents.
7. S.O. to 17.02.2016.

DATE: 22/1/16

CORAM:

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

Hon'ble Shri M. Ramesh Kumar (Member) A

APPEARANCE:

Shri/Ms. M.D. Lonkar

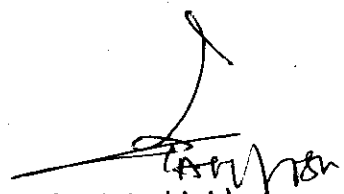
Advocate for the Applicant

Shri/Ms. N.K. Rajpurohit

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

Adj. To.....17/2/16.....

Steno copy & Hamdast allowed. 134


(A.H. Joshi, J.)
Chairman

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

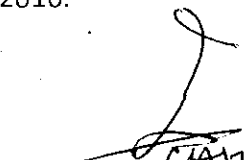
FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2016.

O.A.No.773 of 2015

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. Learned Advocate for the Applicant Shri B.A. Bandiwadekar has tendered the Rejoinder. It is taken on record.
3. Adjourned to 11.02.2016.


 (A.H. Joshi, J.)
 Chairman

prk

DATE : 22/1/16

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesh Kumar (Member) A~~

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..... 11/2/16
4

**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
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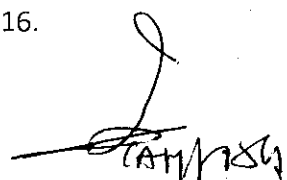
Date : 22.01.2016.

O.A.No.989 of 2015 with O.A.No.990 of 2015 with
O.A.No.1031 of 2015

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

2. Learned C.P.O. for the Respondents Shri N.K. Rajpurohit prays for time to make a statement as to the time frame within which the Hon'ble Minister orders would be secured.

3. Adjourned to 15.02.2016.


(A.H. Joshi, J.)
Chairman

prk

DATE: 22/1/16

CORAM:

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


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

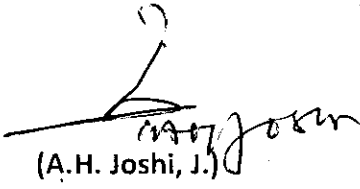
APPEARANCE:

Shri/Smt. : C.T. Chandratre

Advocate for the Applicant

Shri /Smt. : N.K. Rajpurohit
C.P.O / P.O. for the Respondent/s

15/2/16


Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: 22/1/16</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. K.K. Waghmare Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: 26/2/16</p>	<p>Date : 22.01.2016.</p> <p>O.A.No.1088 of 2015</p> <ol style="list-style-type: none"> 1. Heard Shri K.K. Waghmare, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant Shri K.K. Waghmare has address the Tribunal. 3. In the midst of hearing, learned Advocate for the Applicant Shri K.K. Waghmare states that the aspects require for effectively challenging the impugned order is as to whether the requirements to be fulfilled by the claimant for treating his leave as medical leave, are complied with by him. 4. Learned Advocate further says that he may be granted time to ascertain whether required compliances were made by the applicant and also to verify that this aspect is duly pleaded. 5. Learned Advocate prays to amend and substitute the memo of the O.A.. 6. Leave to amend and substitute as prayed for is granted. 7. Substitution be done within three weeks and O.A. be listed for hearing after serving the copy of amended O.A. on the Respondents. 8. S.O. to 26.02.2016. <p style="text-align: right;">  (A.H. Joshi, J.) Chairman </p> <p>prk</p>

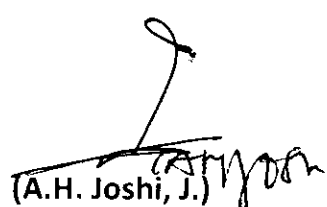
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>DATE: <u>22/1/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. : <u>P. Mahajan</u> Advocate for the Applicant Shri/Smt. : <u>A. J. Chougule</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>21/1/16</u></p> <p align="right">f</p>	<p>Date : 22.01.2016.</p> <p align="center">O.A.No.19 of 2016</p> <p>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents states as follows:-</p> <p>(a) Instructions and papers are received.</p> <p>(b) However, one week's time is required.</p> <p>3. Learned Advocate for the Applicant prays for liberty to undertake the inspection of file in which the decision impugned was ordered.</p> <p>4. Hence following order has passed:-</p> <p>(a) Applicant be proved the inspection of file and copy be produced as asked for.</p> <p>(b) Two weeks time is granted for filing affidavit, which be filed on or before 29.01.2016.</p> <p>(c) S.O. to 2.02.2016.</p> <p align="right">  (A.H. Joshi, J.) Chairman </p> <p align="center">sba</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
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Date : 22.01.2016.

O.A.No.1061 of 2015

1. Heard Shri J.N. Kamble, 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 states that para-wise comments are received yesterday in the evening.

3. Learned P.O. Ms. N.G. Gohad is directed to take instructions on following points :-


(a) Whether the applicant has submitted representation for reconsideration or review of his suspension.

(b) If any such representation is pending the time frame within which the decision would be taken.

(c) Statement be made on the next date.

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

5. S.O. to 15.02.2016.


(A.H. Joshi, J.)
Chairman

prk

DATE: 22/1/16

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.G. Gohad

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

Adj To: 15/2/16

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

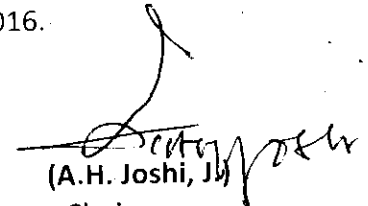
FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 22.01.2016.

O.A.No.882 of 2015

1. Heard Shri J.N. Kamble, the learned Advocate holding for Shri G. Sadavarte, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondent.
2. Learned C.P.O. for the Respondent Shri N.K. Rajpurohit has tendered the affidavit. It is taken on record.
3. Learned Advocate Shri J.N. Kamble who appears for the applicant prays for two weeks time.
4. Adjourned to 12.02.2016.


 (A.H. Joshi, Jr.)
 Chairman

prk

DATE: 22/1/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. : J.N. Kamble Ld Advr
 holding for Shri G. Sadavarte
 Advocate for the Applicant

Shri/Smt. : N.K. Rajpurohit
 C.P.O./P.O. for the Respondent/s

Adj. To. 12/2/16

**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
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Date : 22.01.2016.

O.A.No.760 of 2015

1. Heard Smt. K.G. Gaikwad, the learned Presenting Officer for the Respondents.
2. Applicant present in person. He states that his Advocate is busy before other court.
3. Adjourned to 11.02.2016.


(A.H. Joshi, J.)
Chairman

prk

DATE: 22/1/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. : Applicant in person

Advocate for the Applicant

Shri /Smt. : K.S. Gaikwad

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

Adj. To.....11/2/16



7 All Resp copy to CPO

[Spl/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/266 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : 30 JAN 2016

C.A. No. 37/2015 IN O.A. No. 1068/2014.

- ✓1. Mr. Deepak K. Ambre,
R/at. Chavan Hawaldar Chawl, Chincholi Bandar Rd., Malad (W),
Mumbai-64.

...**APPLICANT/S.**

VERSUS

- ✓1 Smt. Valsa N. Singh, The State of Maharashtra, through the Secretary, Tourism & Cultural Affairs Dept., Sachivalaya Gymkhana, 1st Floor, Opp. Mantralaya, Mumbai-32.
- ✓2 Mr. Ajay Ambekar, The Director of Cultural Affairs, Old Secretariat Annexe, 1st Floor, M.G. Rd., Mumbai-32.
- ✓3 Mr. Manoj Sanap, Joint Director of Cultural Affairs, Old Secretariat Annexe, 1st Floor, M.G. Rd., Mumbai-32.
- ✓4 Mr. S.A.M. Nakvi, The Director, Directorate, Accounts & Treasury Office, Pay Verification Unit, Old P.A.O. Office, Hutement No.11 & 12, Opp. Mantralaya, Mumbai-21.
- ✓5 Smt. S. Radha, The Senior Accounts Officer/ PR 12, Indian Audit & Accounts Dept., Office of the Accountant General (Accounts & entitlements)-1, Pratishta Bhavan (Old CGO Bldg.), 101, M.K. Marg, Mumbai-20.

...**RESPONDENT/S**

- ✓ Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 22nd day of **January, 2016** has made the following order:-*

APPEARANCE : Shri. K.R. Jagdale, Advocate for the Applicant.
Ms. N.G. Gohad, P.O. for the Respondents.

CORAM : **HON'BLE JUSTICE SHRI A.H. JOSHI, CHAIRMAN.**

DATE : **22.01.2016.**

ORDER : 1. Heard Shri K.R. Jagdale, 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 states as follows:-

(a) That all arrears have been paid to the Applicant.

(b) His regular pension will be commenced by end of this month.

3. Learned Advocate for the Applicant wants to wait till the pension amount is created.

4. Hence adjourned to 9.02.2016.

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

Malad 28/1/2016
Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.

ok
S.

**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

22.01.2016

**M.A 485/2015 in M.A 479/2013 in M.A
80/2013 in O.A No 139/2013**

Heard Shri Ashwin Sakolkar, holding for Shri Anoop Patil, learned advocate for the applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.

This Misc Application has been filed for restoration of M.A 479/2013 in M.A 80/2013 in O.A 139/2013 ~~by~~ recalling the order dated 16.12.2013.

The reason advanced is that when M.A 479/2013 in O.A 139/2013 was called out the Advocate for the Applicant remained absent. Learned Advocate Shri Ashwin Sakolkar contended that for the mistake of the earlier advocate the Applicant should not be made to suffer. It is seen from the order dated 17.10.2013 in M.A no 80/2013 that the M.A as well as O.A were dismissed in default as the Applicant was repeatedly absent at least on four to five occasions and the copy of the O.A was also not served on the Respondents. M.A no 479/2013 was then filed for restoration of earlier M.A and O.A.

However, during the hearing of M.A 479/2013 also, none was present and it was also seen that the designation and address of all the Respondents were wrong. Prima facie there does not appear to be sufficient ground to recall the order dated 16.12.2013 dismissing the M.As and O.A in default. However, considering the submissions made by learned Advocate Shri Ashwin Sakolkar, the order dated 16.12.2013 is recalled on the payment of cost of Rs. 2500/-.

The delay in filing M.A is condoned and M.A 80/2013 may be kept along with O.A for final hearing on 26.2.2016.

DATE: 22/1/16

CORAM:

~~Shri R. B. MALIK~~ RAJIV AGARWAL

(Vice-Chairman)

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

APPEARANCE:

Shri Ashwin Sakolkar
holding for Anoop Patil
Advocate for the ApplicantShri A.J. Chougule
Presenting Officer for the Respondentsorder passed in the
Tribunal's courtroom.

M.A. is condoned.

O.A. Adj. to 26/2/16

with
M.A. 80/13.FH
[Signature]

Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman