

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> 22/11/16</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) <i>Rajiv Aggarwal V.C.</i></p> <p><u>APPEARANCE:</u> Shri/Smt. <i>A.K. Rajpurohit</i> Id. C.P.O. Advocate for the Applicant <i>(Org. Resp.)</i> Shri/Smt. <i>A.V. Bandiwadker</i> C.P.O./P.O. for the Respondent/s <i>(Org. Appl.)</i></p> <p>Adj. To <i>As per order passed in C.A. 63/2016, both misc appl. are disposed of.</i></p> <p><i>M.T.C.</i></p>	<p>Date : 22.11.2016.</p> <p>M.A.No.295 of 2016 in O.A.No.715 of 2015 with M.A.No.296 of 2016 in O.A.No.715 of 2015</p> <p>The State of Maharashtra & Ors.Applicant (Ors. Respdt.)</p> <p>Versus</p> <p>S.R. ShitutRespondents. (Ors.Applts.)</p> <p>1. Heard Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Applicant (Org. Respondent) and Shri A.V. Bandiwadkar, the learned Advocate for the Respondents (Org. Applicants).</p> <p>2. In view of the order passed in C.A.No.63 of 2016, both Miscellaneous Applications are disposed of.</p> <p>Sd/- (Rajiv Aggarwal) Vice-Chairman</p> <p>prk</p> <p>Sd/- (A.H. Joshi J.) Chairman</p>

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

Tribunal's orders

O.A.No. 649/2014

Shri S.S. Sonawane ... Applicant

V/s.

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

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

This Original Application was opened for the arguments on 17.6.2016 and has been heard on a few occasions but still the hearing is in conclusive. It is a matter of some regret that in fact both the sides have not placed either full facts by way of pleadings or by way of submissions or documents. These facts disclosed that the applicant who is seeking promotion from Class-IV to Class-III and resultant seniority came to be promoted in 2005 but ultimately the said order was cancelled on 8.12.2006. The case apparently is that he did not join the duties on the promotional post at the place of posting. Then in the year, 2010 he was promoted and which promotion was accepted by him. He is seeking deemed date from 2005. A few important documents which have figured thus far have not been produced on record and some confusion is there because it is difficult to establish unbroken link.

We, therefore, direct both the sides to make sure a proper compilation of documents be place on record the copies of the documents which are already filed along with the O.A. and those relevant documents that have not been produced so far.

The respondents shall also place on record the information regarding the promotion from Class-IV to Class-III made during the year 2006-2010.

S.O. to 13.12.2016.

Sd/-

Sd/-

(R.B. MALIK)
MEMBER (J)
22.11.2016

(RAJIV AGARWAL)
VICE-CHAIRMAN
22.11.2016

vsm

DATE: 22/11/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. K.R. Jagdale
Advocate for the Applicant

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

Adj. To: 13/12/16

Part heard.

PH
[Signature]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

22.11.2016

O.A No 546/2016

Shri A.L Jadhav Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri R.G Panchal, learned advocate for the applicant and Ms Savita Suryavanshi, holding for Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

Affidavit in reply has been filed. Shri Panchal states that he does not wish to file rejoinder.

O.A is admitted. Place for final hearing on 29.11.2016.

DATE: 22/11/16

CORAM: Shri Rajiv Agarwal (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt: R.G. Panchal

Advocate for the Applicant

Shri/Smt: K.S. Gaikwad

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

Adj. To: Admit. S.O. to 29/11/16.

BTE

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

**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
-------------------------------------------------------------------------------------------------------------	-------------------

22.11.2016

O.A No 705/2016

Shri M.B Sonawane Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Savita Suryavanshi, holding for Ms Archana B.K, learned Presenting Officer for the Respondents.

Affidavit in rejoinder is filed.

O.A is admitted. Respondents may file sur-rejoinder, if need be.

Place for final hearing on 6.12.2016.

DATE: 22/11/16

CORAM: Shri Rajiv Agarwal (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt.: A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt.: S. Suryavanshi
C.P.O / P.O. for the Respondent/s

Adj. To: Admit. 6/12/16 for F.H.

F.H.
B.F.

Akn

Sd/-
(Rajiv Agarwal)
Vice-Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>22/11/16</u></p> <p>CORAM: <u>Shri Rajiv Agarwal (JLC)</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramchikumar (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>S. P. Manchekar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S. SURYAWANSHI</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>OA stands disposed of as withdrawn.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>22.11.2016</u></p> <p align="center"><u>O.A No 1105/2015</u></p> <p>Shri N.M Dhumal ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Ms Swati Manchekar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>On instructions, learned Advocate Ms Swati Manchekar seeks leave of this Tribunal to withdraw the Original Application.</p> <p>Leave to withdraw the Original Application is granted and Original Application stands disposed of as withdrawn with no order as to costs.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

22.11.2016

O.A No 1025 /2016

Shri J.K Pawr ... Applicant
Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Ms Swati Manchekar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2016.

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

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O 20.12.2016.

DATE: 22/11/16
CORAM: Shri. Rajiv Agarwal (V/c)
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:
Shri/Smt. S.P. Manchekar
Advocate for the Applicant
Shri/Smt. S. SURYAVANSHI
C.P.O / P.O. for the Respondent/s

Adj. To. 20/12/16

[Signature]

Sd/-

(Rajiv Agarwal)
Vice-Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. of 20 DISTRICT Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

22.11.2016

O.A No 1022 /2016

Shri D.D Navghare ... Applicants

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Ms Swati Manchekar, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2016.

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

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O 20.12.2016.

DATE: 22/11/16

CORAM: Shri Rajiv Agarwal (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : S.P. Manchekar

Advocate for the Applicant

Shri/Smt. : S. Suryavanshi
C.P.O / P.O. for the Respondent/s

Adj. To. 20/12/16

BT

Sd/-

(Rajiv Agarwal)
Vice-Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

22.11.2016

O.A No 891 /2016

Shri M.P Babar ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2016.

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

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O 20.12.2016.

DATE: 22/11/16

CORAM: Shri Rajiv Agarwal (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt.: K.R. Jagdale

Advocate for the Applicant

Shri/Smt.: A. J. Chougule

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

Adj. To: 20/12/16

BY

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>22/11/16</u></p> <p>CORAM: <u>Shri Rajiv Agarwal</u> (V/L) Hon'ble Justice <u>A. H. Joshi</u> (Chairman), Hon'ble <u>Shri M. Ramashekhar</u> (Member) A</p> <p>APPEARANCE: Shri/Smt.: <u>A.V. Bandiwadkar</u> Advocate for the Applicant, Shri/Smt.: <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>20/12/16</u></p> <p align="right"><i>BE</i></p>	<p align="center"><u>22.11.2016</u> <u>O.A No 1087 /2016</u></p> <p>Shri M.M Jagtap ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri A.V Bandiwadkar, learned advocate for the applicant and Shri K.B. Bhise learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 20.12.2016.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O 20.12.2016.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

22.11.2016

O.A No 1088/2016

Shri P.D Kalebere ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri A.V Bandiwadker, learned advocate for the applicant and Ms Neelima Gohad learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 20.12.2016.

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

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O 20.12.2016.

DATE: 22/11/16

CORAM: Shri Rajiv Agarwal /v/ly
Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt.: A.V. Bandiwadker

Advocate for the Applicant

Shri/Smt.: H. G. Gohad

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

Adj. To: 20/12/16

BK

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. of 20 DISTRICT Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>22/11/16</u></p> <p>CORAM: <u>Shri Rajiv Agarwal C.J.</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To. <u>6/12/16.</u></p> <p align="right"><i>BTe</i></p>	<p align="center"><u>22.11.2016</u></p> <p align="center"><u>O.A No 1021/2016</u></p> <p>Shri J.L Kshirsagar ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Shri A.V Bandiwadkar, learned advocate for the applicant, Mrs Kranti S. Gaikwad, learned Presenting Officer for the Respondents no 1 & 2 and Shri M.D Lonkar, learned advocate for Respondent no. 3.</p> <p>Learned P.O files affidavit in reply. Learned Advocate Shri Lonkar states that he will file affidavit in reply within two days and give copy to learned advocate for the Applicant and learned P.O.</p> <p>Learned Advocate Shri Bandiwadkar seeks two weeks' time to file rejoinder.</p> <p align="center">S.O to 6.12.2016.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. of 20 DISTRICT Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>22/11/16</u></p> <p>CORAM: <u>Rajiv Agarwal (V/C)</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt: <u>M. D. Lokker</u> Advocate for the Applicant Shri/Smt: <u>N. K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>20/12/16</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>22.11.2016</u> <u>O.A No 1085/2016</u></p> <p>Shri B.B Thakur ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 20.12.2016.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O 20.12.2016.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman [P.T.O.]</p> <p align="left">Akn</p>

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

Tribunal's orders

O.A.No. 626 & 627/2016

Shri D.K. Dhiware & Anr. ... Applicant

V/s.

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

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

The learned P.O. presents before us the Government's communication of the Divisional Commissioner, Nasik dated 21.11.2016. The same is taken on record and in view thereof both the Original Applications have worked themselves out. The Government has obviously decided to act in accordance with our earlier judgment in the matter of O.A. 626/2016, dated 1.12.2015. Since the entire communication is placed on record and treated as Government's undertaking, no more clarification is necessary. As far as the original Applicant, Shri Milind Kulthe is concerned he is also seeking in this O.A. the promotion as per his seniority. The Government may consider his case for promotion to the post of Tahsildar and if found eligible appropriate decision will be taken.

Both the Original Applications, are accordingly, disposed of with no order as to cost. Hamdast.

Sd/-

Sd/-

(R.B. MALIK)
MEMBER (J)
22.11.2016

(RAJIV AGARWAL)
VICE-CHAIRMAN
22.11.2016

(vsm)

DATE: 22/11/16

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~

~~(Vice-Chairman)~~

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

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To O.A.s are

disposed of.

**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.411/2016

Shri B.N. Chavan ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

Affidavit-in-reply of Respondents 1 & 2 taken on record. The OA proceeds without the Affidavit-in-reply of Respondent No.3. Adjourned for Rejoinder to the Affidavit of Respondents 1 & 2 to 6th December, 2016.

S.O. to 6th December, 2016.

DATE: 22/11/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. V.V. Joshi

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Reply Filed by A No 122.

Adj. To 6/12/16

(skw)

Sd/-
(R.B. Malik)
Member (J)
22.11.2016

16

**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.963/2016

Shri B.J. Chougule ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Affidavit-in-Rejoinder taken on record. Admit. Liberty to mention granted.

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.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. 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.

DATE: 22/11/16

CORAM:

~~Hon'ble Shri. RAJIVAGARWAL~~
~~(Vice-Chairman)~~

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

APPEARANCE:

Shri/Smt. B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Rejoinder filed by Applicant

Adj. to

O.A. is Admit.
Liberty to mention granted.

(Signature) (skw)

Sd/-

(R.B. Malik) 22/11/16
Member (J)
22.11.2016

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

Tribunal's orders

M.A.406/2016 in O.A.862/2016

Shri A.J. Telvekar & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

I have perused the record and proceedings and heard the submissions of both the sides. Although the Applicant prays for stay to the entire proceedings of promotin, I am of the opinion that the interest of both the sides would subserve by an order that whatever happens during the pendency of this OA shall be subject to the ultimate outcome hereof and ultimately, the order of the Tribunal shall prevail. With this, MA stands disposed of with no order as to costs.

Affidavits having been completed and the learned Advocate for the Applicant having ~~been~~ made a statement that the Rejoinder is not to be filed, the OA is admitted. Liberty to mention granted.

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.

This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. 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.

Sd/-

(R.B. Malik)
Member (J)
22.11.2016

(skw)

DATE: 22/11/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. R.M. Kolge

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Reply & affidavit of service filed.

Adj. to M.A. is disposed of

O.A. is admitted.

Liberty to mention granted.

(Reply filed by R.202 in O.A. 862/16)

(Presenting Officer.....)

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

Tribunal's orders

22.11.2016**O.A No 606/2016**

Shri A.R Kharat ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned
advocate for the applicant and Ms Savita
Suryavanshi, holding for Ms Archana B.K,
learned Presenting Officer for the Respondents.

Affidavit in rejoinder is filed.

O.A is admitted. Respondents may file sur-
rejoinder, if need be.

Place for final hearing on 6.12.2016.

DATE: 22/11/16CORAM: Shri Rajiv Agarwal (V/C)

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : S. Suryavanshi

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

Adj. To Admit. S.O to 6/12/16.

MT
A.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

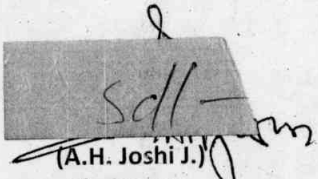
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 22/11/16</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. : Leave note of Adv. P. Mahajan taken on record. Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s</p> <p>Adj. To 23/12/16. Steno copy & Hamdast is allowed to Ld. P.O. BTE</p>	<p>Date : 22.11.2016.</p> <p>C.A.No.136 of 2014 in O.A.No.275 of 2010</p> <p>Dr. B.B. Birajdar & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan the learned Advocate for the Applicants and Smt. K.S. Gaikwad., the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-</p> <p>She would advise the Government to re-examine the matter and ensure total compliance of the order, keeping in with the letter of spirit as contained in the order passed in O.A. allowing it in terms of prayer clause 15 (a) of the O.A..</p> <p>3. For reporting steps as complied, adjourned to 23.12.2016.</p> <p>4. Steno copy and Hamdast is allowed to learned P.O. Learned P.O. is directed to communicate this order to the Respondents.</p> <div style="text-align: center;">  (A.H. Joshi J.) Chairman </div> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

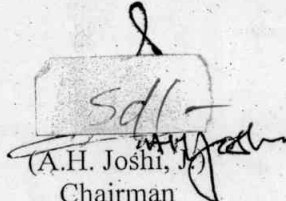
(Advocate.....)

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 C.A. No.52 of 2015 in O.A. No.315 of 2014
<p>DATE: <u>22/11/16</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>B.A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt.: <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>21/12/2016</u></p>	<p>Shri S.E. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO prays for two weeks time for enabling to report total compliance of the order of this Tribunal.</p> <p>3. S.O. to 2.12.2016.</p>
	<p style="text-align: center;">  (A.H. Joshi, J) Chairman 22.11.2016 </p>
	(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

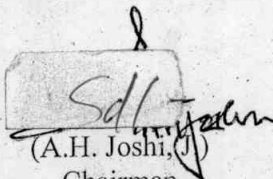
(Advocate)

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 C.A. No.60 of 2015 in O.A. No.1013 of 2014
<p>DATE : <u>22/11/16</u></p> <p>CORAM : *</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Ramachandran (Member) A</p> <p>APPEARANCE :</p> <p>Shri/Smt : <u>M.D. Lonkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt : <u>S. Suryawanshi holding</u></p> <p>C.P.O / P.O. for the Respondent/s</p> <p>for shri K.B. Bhise P.O. for Respondents</p> <p>Adj. To : <u>21/12/16</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Smt. M.V. Deshmukh ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer holding for Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions from Shri L.G. Dhoke, Dy. Secretary, Tribal Development Department, Mantraaya states that two more weeks is required for total compliance of the order.</p> <p>3. In view of the request of Ld. PO adjourned to 21.12.2016.</p> <div style="text-align: right;">  (A.H. Joshi, J) Chairman 22.11.2016 </div> <p style="text-align: center;">(sgj)</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

C.A. No.74 of 2016 in O.A. No.153 of 2012

Shri R.B. Ekatpure ..Applicant
Vs.

The State of Maharashtra & Ors. ..Respondents

Smt. Punam Mahajan, learned Advocate for the Applicant has filed leave note. Heard Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. PO states that operative part contained in para 8 of the order passed by this Tribunal in OA No.153/2012 has been complied with.

3. It is seen that the delay in compliance seems to be for one year and three months and no explanation and apology has come forward.

4. At this stage, Ld. PO further states that she would ascertain whether the respondents are likely to file affidavit for apology and requests for time.

5. At the request of Ld. PO adjourned to 22.12.2016.

DATE: 22/11/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. Leave note of adv. P. Mahajan
taken on record.
Advocate for the Applicant

Shri /Smt. H. F. Gohad
C.P.O / P.O. for the Respondent/s

Adj. To 22/12/16

Handwritten initials

(sgl)

Sd/-
A.H. Joshi
Chairman
22.11.2016

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

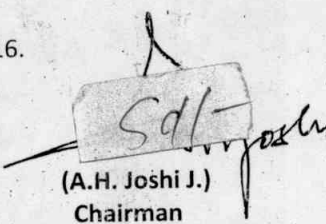
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>22/11/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)-A</p> <p>APPEARANCE: Advocate for the Applicant: <u>P.S. Bhavake</u> Shri/Smt.: <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>8/12/16</u></p> <p align="right"><i>BTE</i></p>	<p>Date : 22.11.2016.</p> <p align="center">O.A.No.444 of 2016</p> <p>Dr. R.V. JadhavApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.S. Bhavake, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri P.S. Bhavake for the Applicant states as follows :-</p> <p>(a) Amendment is not served on the Respondents.</p> <p>(b) Copy would be served on the Respondents today itself and one copy would be given to the representation of the Respondent to Shri Namdev G. More, Administrative Officer, Civil Hospital, Kolhapur who is personally present in the Tribunal, today.</p> <p>3. Learned P.O. Ms. N.G. Gohad for the Respondents states that reply would be filed within two weeks.</p> <p>4. S.O. to 08.12.2016.</p> <p align="right">  (A.H. Joshi J.) Chairman </p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

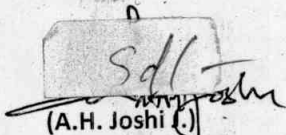
(Advocate)

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
<p>DATE : <u>22/11/16</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>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. : <u>A.G. Gohad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>1/12/16</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 22.11.2016.</p> <p style="text-align: center;">O.A.No.41 of 2016</p> <p>S.B. Sawant.Applicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Ms. N.G. Gohad for the Respondents states that affidavit is ready and a week's time may be granted to file the affidavit.</p> <p>3. Time as prayed for is granted.</p> <p>4. In view of the foregoing, adjourned to 01.12.2016.</p> <div style="text-align: center;">  (A.H. Joshi J.) Chairman </div> <p style="text-align: left;">prk</p>

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

Tribunal's orders

Date : 22.11.2016.

O.A.No.1056 of 2015

A.A. Jagdale.

....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. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-

(a) Orders are issued on 17.11.2016, granting to the Applicant deemed date as claimed by her.

(b) Copy of order is tendered for perusal.

3. On perusal of the order, it reveals that Applicant has not been granted consequential benefits of difference in pay and allowance.

4. Learned P.O. is called to take instructions as to whether this decision is taken with due sense of responsibility, considering the entitlement of the Applicant and failure on the part of the Respondent who has led the Applicant to file present O.A.

5. Learned P.O. prays for one week time and if necessary take corrective action in this regard.

6. Time as prayed for is granted.

7. Adjourned to 01.12.2016.

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

DATE : 22/11/16

CORAM :

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

Hon'ble Shri M. Rameshkumar (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..... 1/12/16. Hamdast &

steno copy allowed to Ld. P.O.

HT

Sd/-
A.H. Joshi
Chairman

prk

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

Tribunal's orders

Date : 22.11.2016.

O.A.No.469 of 2015 with O.A.No.470 of 2015 with
O.A.No.471 of 2015 (Subject : Transfer)

P.K. Khandale (O.A.No.469/2015)
A.R. Ghume (O.A.No.470/2015)
S.D. Mane (O.A.No.471/2015)Applicants.

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned P.O. Smt. Archana B.K. for the Respondents on instructions from Shri S.V. Potare, Under Secretary, Home Department, Mantralaya, states as follows :-

- The draft Affidavit common to all the three Original Applications, is prepared in O.A.No 469 of 2015.
- The said affidavit of Shri K.P. Bakshi, Additional Chief Secretary (Home) is ready and it would be filed during the course of the day.
- G.A.D has taken stand that Transfer Act will be applied to the persons of the category of the Applicants.

3. Learned P.O. for the Respondents was called to state as to whether the competent authority who has issued impugned order is going to withdraw the impugned order.

4. For reporting the steps as would be taken, adjourned to 01.12.2016.

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


(A.H. Joshi J.)
Chairman

prk

DATE : 22/11/16

CORAM :

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

Hon'ble Shri M. Rameshkumar (Member) A

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 1/12/2016. Steno copy

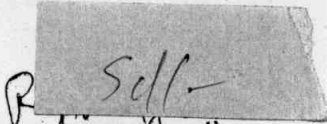
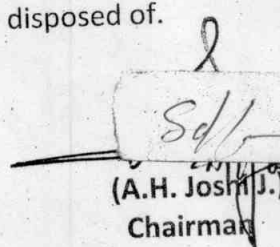
& Hamdast is allowed to L.P.O.

HTE

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>22/11/16</u></p> <p>CORAM :</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE :</p> <p>Shri <u>K.R. Jagdale</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u></p> <p>C.R.O./P.O. for the Respondent/s</p> <p>Adj. To <u>20/12/16</u></p> <p><i>[Signature]</i></p>	<p>Date : 22.11.2016.</p> <p>C.A.No.99 of 2014 in O.A.No.684 of 2011</p> <p>D.N. JadhavApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for two weeks' time for reporting compliance of revision of Applicant's pension and payment of difference of commutation.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 20.12.2016.</p> <p>prk</p> <p><i>[Signature]</i> (A.H. Joshi J.) Chairman</p> <p>[P.T.O.]</p>

(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> 22/11/16</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt: N.K. Rajpurohit Id. C.P.O. Advocate for the Applicant (Org. Resp.) Shri/Smt: A.V. Bandiwadker C.P.O./P.O. for the Respondent/s (Org. Applt.)</p> <p>Adj. To: As per order passed in C.A. 63/2016, both misc Appl. are disposed of.</p> <p style="text-align: right;">M.R.</p>	<p>Date : 22.11.2016.</p> <p>M.A.No.295 of 2016 in O.A.No.715 of 2015 with M.A.No.296 of 2016 in O.A.No.715 of 2015</p> <p>The State of Maharashtra & Ors.Applicant (Ors. Respd.)</p> <p>Versus S.R. ShitutRespondents. (Ors.Applts.)</p> <p>1. Heard Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Applicant (Org. Respondent) and Shri A.V. Bandiwadkar, the learned Advocate for the Respondents (Org. Applicants).</p> <p>2. In view of the order passed in C.A.No.63 of 2016 both Miscellaneous Applications are disposed of.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  (Rajiv Agarwal) Vice-Chairman </div> <div style="text-align: center;">  (A.H. Joshi J.) Chairman </div> </div> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
CONTEMPT APPLICATION NO.55 OF 2016
IN
ORIGINAL APPLICATION NO.930 OF 2014

Smt. Suvarna A. Joshi

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri B.A. Bandiwadekar – Advocate for the Applicant

Miss Savita Suryawanshi – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 22nd November, 2016

ORDER

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Ld. PO states that:

(a) Proposal is sent for calling second meeting of DPC for considering the applicant's case in view that upon upgradation of ACR the applicant has become eligible for being considered for the post of Associate Professor of Microbiology.

(b) 2 months time is required for convening meeting of DPC by the GAD in view of upgradation of Applicant's ACRs which now qualify her for consideration for promotion.





3. It is seen that Smt. Medha A. Gadgil, Additional Chief Secretary, Medical Education & Drugs Department, Mantralaya has filed her first affidavit on 19.8.2016. It is seen that affidavit was filed in furtherance to the order of this Tribunal seeking certain explanation. Similarly, another affidavit was filed on 12.10.2016.

4. This latter affidavit dated 12.10.2016 is in relation to:

- (a) The modalities to be adopted by the Secretaries after the orders of the Tribunal are received.
- (b) Statement that the respondents had placed applicant's case before DPC, and the DPC had found that applicant is not eligible for promotion because her ACRs were not upto bench mark and that the adverse decision was communicated to the applicant.

5. From perusal of affidavits and the development which has been disclosed today, it prima facie appears that the manner in which the matter has been handled by the contemnor leads to inferences which could be as follows:

- (a) Applicant's case was pending for upgradation of the ACR, and this fact was very well within the knowledge of contemnor and the department.
- (b) By totally disregarding the said fact and information, the contemnor has placed the applicant's case before the DPC.
- (c) One does not need special intelligence and brilliance to know that if applicant's ACRs were not upto mark what decision the DPC could have taken and, therefore, placing applicant's case before DPC was premature. 
- (d) Despite pendency of applicant's representation for upgradation of ACRs the proposal was sent for constitution of DPC, and this act was done as a ritual and as an empty formality to avoid the blame of committing contempt. 

(e) By these acts an attempt is made to mislead the applicant as well as to mislead this Tribunal.

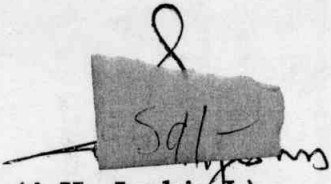
6. The attitude emerging from respondents' conduct which is exhibited, prima facie, needs to be examined to see as to whether this conduct constitutes a fresh act of contempt or it barely aggravates present contempt.

7. Therefore, this Tribunal would like to put certain questions to the contemnor.

8. Hence, contemnor Smt. Medha A. Gadgil, Additional Chief Secretary, Medical Education & Drugs Department, Mantralaya, is directed to remain present on 25.11.2016.

9. S.O. to 25.11.2016.

10. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.


(A.H. Joshi, J.)
Chairman
22.11.2016

Dictation taken by: S.G. Jawalkar.

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. No.189 of 2014 with O.A. No.190 of 2014

Shri M.V. Kulkarni
Shri A.R. Jadhav ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Smt. Punam Mahajan, learned Advocate for the Applicant has filed leave note. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. At the request of Ld. PO adjourned to 23.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
22.11.2016

(sgj)

DATE: 22/11/16

CORAM:

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

Hon'ble Shri M. Ramakumar (Member)

APPEARANCE:

Shri/Smt. Leave note of adv. Mrs. P. Mahajan taken on record.
Advocate for the Applicant

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

Adj. To: 23/11/16

rye


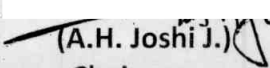
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>22/11/16</u></p> <p>CORAM :</p> <p>Hon. Justice Shri A. H. Joshi (Chairman)</p> <p>Hon. Mr. Shri M. Ramesh Kumar (Member) A</p> <p>APPEARANCE :</p> <p>Shri/Smt. : <u>None for the app.</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. : <u>K.B. Bhise</u></p> <p>C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>24/11/16 by way of P</u> <u>last chance</u></p>	<p>Date : 22.11.2016.</p> <p>O.A.No.272 of 2015 with O.A.No.273 of 2015</p> <p>D.P. Londhe (O.A.No.272/2015)</p> <p>G.S. Dumbre (O.A.No.273/2015).Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri A. Apte for the Applicants is absent.</p> <p>3. By way of last chance, adjourned to 24.11.2016.</p> <div style="text-align: right;">  Sd/-  (A.H. Joshi J.) Chairman </div> <p>prk</p>

(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
C.A. No.156 of 2014 in O.A. No.818 of 2011

Shri A.V. Ghume ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. At the request of Ld. PO adjourned to 24.11.2016.

0
Sd/-
(A.H. Joshi, J)
Chairman
22.11.2016

(sgj)

DATE: 22/11/16

CORAM:

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

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

Adj. To 24/11/16

[Handwritten signature]

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.326/2016 with O.A.611/2016 with MA:215/2016

Dr. Y.M. Kokadwar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Miss S.P. Manchekar, learned Advocate for
the Applicant and Smt. K.S. Gaikwad, learned Presenting
Officer for the Respondents.

2. The officer who was directed to remain present
viz. Shri Bipin Kumar Singh, Additional Director
General of Police (Prison), Mumbai, has appeared and
explained his stance. He need not remain present on the
next date.

3. At the request of Ld. PO adjourned to 23.11.2016.

DATE: 22/11/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. S.P. Manchekar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To 23/11/16

SGJ

SGJ
(A.H. Joshi, J.)
Chairman
22.11.2016

(sgj)