ORIGINAL APPLICATION NO.928 OF 2018

K.A. Lohar

)...Applicant

Versus

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

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

Smt. K.S. Gaikwad, the learned .P.O. for the Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER (J)

DATE : 23.10.2018.

<u>ORDER</u>

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

2. During the course of hearing, the learned Advocate for the Applicant Shri A.V. Bandiwadekar has produced a copy of letter dated 8.10.2018 written by the Applicant to the Commissioner (Education), Maharashtra State, Pune wherein it is mentioned that as per the relieving order dated 5.10.2018, he is attending the Office of Commissioner (Education) without prejudicing to his rights to challenge the order dated 5.10.2018.

3. The Applicant was functioning as Education Officer (Secondary), Zilla Parishad, Kolhapur. By order dated 5.10.2018, he has *ex-parte* relieved without giving him posting at other place.

4. The said relieving order has been challenged by the Applicant mainly on the following grounds:-

- (a) The impugned order dated 5.10.2018 has been passed vindictively on alleged complaints without verifying the truth.
- (b) The transfer order has been made mid-term and without following due procedure. The impugned order of transfer is in violation of Section 4(4)
 (ii) and Section 5 of Maharashtra Government Servants Regulation of

Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005'.

5. Per contra, the learned P.O. for the Respondents sought to justify the impugned order contending that it was necessitated for administrative exigencies and for smooth functioning.

6. According to learned P.O. for the Respondents, there were several complaints against the functioning of the Applicant and Enquiry Committee was constituted for the same. In this background, she sought to urge that, there was possibility of tempering of the witness, and therefore, Chief Executive Officer thought it fit to relieve the Applicant with immediate effect. She, therefore, urged that in view of the complaint, the Applicant is not entitled to interim relief and application is liable to be rejected.

7. Admittedly, the Applicant has completed only 1 year and 3 months tenure at Kolhapur. Thus, he has been relieved mid-term. It cannot disputed that the impugned order is for all purposes transfer order. It being mid-term transfer order, Respondent was under obligation to follow the provision contained in Section 4(4) (ii) and Section 5 of 'Act 2005'.

8. The impugned order has been passed by the Chief Executive Officer, who has no authority or power to pass such mid-term transfer order. As per Section 4(4) (ii), mid-term transfer is permissible where the competent authority is satisfied that the transfer is essential due to exceptional circumstances or special reasons, after recording the same in writing and with the prior approval of next higher authority. Whereas as per Section 5, 'the competent authority may, in special cases, after recording reasons in writing and with the prior permission of the immediately preceding Competent Transferring Authority mentioned in the table of Section 6.

9. However, in the present case, the transfer order has been passed by Chief Executive Officer and not by authority contemplated in Sections 5(5) and 6 of 'Act 2005'.

10. The learned P.O. for the Respondents could not substantiate as to how the Chief Executive Officer has authority or may have power to issue such order, which has effect

of transferring to other place. Besides, there is nothing to show that the matter was placed before the Civil Services Board for his transfer.

11. As regards complaints against the Applicant, the learned Advocate for the Applicant has pointed out that the Applicant has submitted his explanation from time to time explaining the reasons for his absence in meeting dated 11.09.2018. I do not think, it is necessary to deal with this aspect in detail at this stage. In fact, the complaints are required to be investigated properly and substantiated if the transfer is necessitated as mentioned in G.R. dated 11th February, 2015, which is not done in the present matter.

12. As such, *prima-facie*, the impugned order is in contravention of Section 4 and 5 of 'Act 2005'. Resultantly, the execution and operation of this order is stayed. The Applicant is allowed to join from where he has been transferred within 10 days from today.

13. Issue notice before admission returnable on 27.11.2018.

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

15. 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.

16. 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.

17. 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.

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

19. S.O. to 27.11.2018.

20. Steno copy and Hamdast is allowed to both the sides.

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

١ Sd/-(A.P. Kurhekar) Member (J)

sba

ORIGINAL APPLICATION NO 925 OF 2017

DISTRICT : PUNE

Shri D.K Gunjal

)...Applicant

Versus 4

The State of Maharashtra & Others)...Respondents

Shri M.B Gawade with Shri R.S Deshpande, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents no 1 to 6.

Shri S.S Dere holding for Shri Mane, learned advocate for Respondents no 7, 11, 15, 19, 21, 24, 26, 31, 42, 45, 52, 53, 54 & 55.

None for Respondent no. 86.

CORAM : Shri Justice A.H Joshi (Chairman) Shri P.N Dixit (Member) (A)

DATE : 23.10.2018

PER : Shri Justice A.H Joshi (Chairman)

ORDER

1. Heard Shri R.S Deshpande with Shri M.B Gawade learned advocate for the Applicant, Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents no 1 to 6, Shri S.S Dere holding for Shri Mane, learned advocate for Respondents no 7, 11, 15, 19, 21, 24, 26, 31, 42, 45, 52, 53, 54 & 55. None for other Respondents.

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We have heard this Original Application for sometime. It is seen 2. that the affidavit is filed by Shri Vivek S. Deshmukh, Under Secretary, M.P.S.C.

The crucial issue involved in the case is as to whether a condition 3. prescribed in the advertisement, namely, condition no. 2.2.3.4 as regards period for which Non Creamy Layer Certificate is fulfilled by various Respondents. Affidavit of M.P.S.C on this point is vague.

It prima facie appears that M.P.S.C was required to undertake the 4. scrutiny of Certificates of non-creamy layer relied upon by candidates in order to examine as to whether prima facie the Certificates do confirm to the requirement laid down in the advertisement. Deeper enquiry would be necessary only in the event there is a specific complaint about genuineness etc. thereof.

5. In the present case, M.P.S.C seems to have shirked the responsibility even of reading the Certificate and verifying as to whether on plain reading prima facie the Certificates do confirm to the conditions laid down by M.P.S.C itself, without disclosing as to whether all certificates need/warrant deeper probe, yet candidates are recommended for appointment and they have been appointed.

In the aforesaid background, Secretary, M.P.S.C is directed to examine present original application himself. In view that the original application runs over hundred pages, he shall be free to invite applicant's advocate for clarification or hearing, including open option of consulting learned C.P.O as well.

б.

After completing the exercise indicating in foregoing paragraph, 7. the Secretary, M.P.S.C shall thereafter file affidavit as to whether there exist any legal impediment in examining ostensible view and prima facie disclosures from the Non Creamy Layer Certificate of the applicant in the light of parameter prescribed by M.P.S.C in condition No. 2.2.3.4 aforesaid.

8. Affidavit be filed by the Secretary, M.P.S.C within one week from today.

9. S.O to 30.10.2018.

10. Steno copy and Hamdast is granted. Learned C.P.O is directed to communicate this order to the Respondents.

Sd/-(P.N Dixit) Member (A)

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

Place : Mumbai Date : 23.10.2018 Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2018\Oct 2018\O.A 925.17, Recruitment selection challenged, Int order, DB.10.18.doc

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

Tribunal's orders

O.A.877/2018

Dr. M.B. Londhe Vs. ... Applicant

The State of Mah. & 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. Since the Subsistence Allowance is not paid to the Applicant, the Respondents are directed to pay him the Subsistence Allowance as per law.

3. Issue notice returnable on 27.11.2018.

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

5. 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.

6. 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.

7. 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.

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

9. S.O. to 27th November, 2018.

(skw]

Sd/-(A.P. Kurhekar) Member-J

23.10.2018

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DATE 23/10/18

CORAM Hospiele Shriph. Dixit. (Member)A Shir. A. P. (Kerhe Kar, (Nember(t))

APPEARANCE: Shipson R. R. Jagdele

Advocate for the Applicant

Shilsmit A.J. Ch C.P.C.P.O. ior the Respondent's

Adj./S.O. to 2-7/11/18.

GC P = J 22600B (50,000, 2-2015) ISpl. MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribungi's orders or directions and Registrar's orders	Tribunal's orders	
	<u>O.A.290/2018</u>	
	Shri D.R. Gujrathi Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents	
	2. The learned Advocate for the Applicant files Rejoinder on behalf of Applicant. The same is taken on record.	
DATE 23/10/18	3. The learned P.O. submits that the Respondents will file Sur-rejoinder, if required, on the next date.	
CORAM For ble Shriph Dixit (Member) A Shei A. P. Kushekaz, Neimber(1)	 The matter is admitted and kept for fination of the second second	
APPEARAMOR	5. S.O. to 30 th November, 2018.	
Advocate for the Allphoson	N 1.17 Sd/-	
Shriison No. N.G. Gohad	(A ^N P. Kurhekar) Member-J	
D.A. cis adjusted filed Adj./S.C. to Rej. oi. holos filed	23.10.2018 (skw)	
by Applicant. 5.0. +0 30/11/18		

ISPL: MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	<u>0.A.516/2018</u>	
	Dr. J.V. Nandanvankar Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri A.R. Joshi, the Applicant and Ms. N.G. Goh Officer for the Respondents	
	2. The learned P.O. has Affidavit-in-reply will be filed du day.	
	3. The matter is admitten hearing on 30 th October, 2018.	d and kept for fina
DATE 2-3/10/18	4. S.O. to 30 th October, 201	8.
CORAM for ble Shriph. Dixit (Member) A- Shir, A. P. Kcenhe Kan, Member (L		Sd/-
APFEARANCE: A.D. Joshi		P. Kurhekar) Member-J
Advocato for the Applicent	(skw)	23.10.2018
Shrifernt No. N.G. Cohed		
Adi/5.0 to 30/10/18		
Reply Riled by RiNO.1 (2)	→ → 	
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M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memorandu of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'Tribunuf's orders O.A.1154 /2017 with O.As.1155 to 1158/2017	
	Shri U.P. Patil & Ors Applicants Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents	
DATE 23/10/18	2. The learned Advocate for the Applicant submitted that the Applicants do not want to fil Rejoinder.	
ionible ShripA. DIXIT (Momber) A Shui. A. p. Kurhekar Member (1)	3. The O.As are admitted and be kept together with connected matters i.e. O.As.1155 to 1158/2017.	
- CT chandrata	4. S.O. to 4 th December, 2018.	
Generation for the Applicant	Sd/-	
D. A. C. S. acture thed.	(A.P. Kurhekar) Member-J 23.10.2018	
Adj. S.O. to	ן איז ג <u>ו</u>	
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	<u>O.A.169/2018</u>	
	Shri S.B. Waje Applicant	
	The State of Mah. & ors Responder	nts
	 Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi learned Presenting Officer for the Respondents 	
	2. The learned Advocate for the Applicant file Rejoinder on behalf of the Applicant. The same taken on record.	
DATE 23/10/18 CORAM	3. Since the pleadings are complete, the O.A. admitted and kept for final hearing on 30 th Novembe 2018.	
Sher A-P. Leerhelton Moniboration	4. The Respondents are at liberty to file Su y rejoinder, if any on the next date.	
APFEABANCE: Smissie A.V. Bendicischkon	5. S.O. to 30 th November, 2018.	
and home for the Applicant	Sd/-	
Me. S. Scorijaevanski	(A.P. Kurhekar)	
O.A. cos aduration	Member-J 23.10.2018	
Persinder heled And by Applicant.	- · · · · · · · · · · · · · · · · · · ·	
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(G.C.P. J. 2260(B) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	<u>O.A.382/2017</u>	
	Shri A.N. Gaikwad Applicant Vs.	
	The State of Mah. & ors Respondents	
	 Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 	
	 The learned Advocate for the Applicant ha pointed out that, there is a challenge to departmenta enquiry in this O.A, and therefore, the matter pertain to Division Bench. The learned P.O. has fairly conceded that the matter be listed before the Division Bench. 	
DATE 23 1018		
Shar A. P. Kcerhe Kon Member)A	4. In view of above, the Registry is directed to examine the matter and place it before appropriate Bench.	
Anima de for the Applicant	Sd/-	
Sirisme A.J. chocegale.	(A.P. Kurhekar) Member-J 23.10.2018	
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Feibcenal's coleumn.		

M.A./R.A./C.A. No.

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Original Application No.

Office Notes, Office Memorenda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	<u>0.A.485/2018</u>	
	Shri K.S. Chougule Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri A.V. Advocate for the Applica learned Presenting Officer	nt and Ms. N.G. Gohad,
1. 1.0	2. Since the pleading admitted and kept for fina 2018.	s are complete, the O.A. is I hearing on 3 rd December,
DATE 23/10/18	3. S.O. to 3 rd Decembe	r, 2018.
CORAM Frontible Shri P.N. DIXIT (Momber) A Strain & P. (2 certre (Corr		Sd/-
APFEARANCE: DATE AND BEINDICENCE		(A.P. Kurhekar) Member-J 23.10.2018
A-Wessele for the Applicant	(skw)	
Shri/Smt-Ne.N.G. Gohad		,
Adj. 15.0. to 3/12/18.		
long -		•

GCP J 2260(B) (50,000 - 22-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders <u>O.A.426/2018</u>	
	Shri R.S. Ghodke Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Ms. Ankita Naik holding for Mrs. I.M Koparkar, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents	
	2. The learned P.O. files Affidavit-in-reply or behalf of Respondent No.1. The same is taken or record.	
DATE <u>23/10/18</u> CORAM Honible Shri P.N. DIXIT (Member) A	3. The learned P.O. submits that the Respondents will file Sur-rejoinder, if required, on the next date.	
Sher. A. P. Kceshekoz, Nember(J) APPEARANCE: Shermi Ma. Ankita Macikh) 4. The matter is admitted and kept for fin hearing on 3 rd December, 2018.	
T.M.Kopærkær	5. S.O. to 3 rd December, 2018.	
Advocate for the Applicant	J.	
Shimply N.G. Gohad	Sd/-	
CREEKO. for the Resconduction	(Å.P. Kurhekar) Member-J	
Adj. (5.0. 10 3/12/18. D.A. cas admitted.	(skw) 23.10.2018	
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ISPL-MATIF-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'Iribunal's orders	
	O.A.527/2018	
	Shri R.B. Chavan Applicant	
	The State of Mah. & ors Respondents	
	1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents	
	2. The learned P.O. files Additional Affidavit-in- reply on behalf of Respondent No.1. The same is taken on record.	
DATE 23/10/18	4. The matter is admitted and kept for final hearing on 25 th October, 2018 High on Board.	
tion ble Shri P.N. DIXIT (Momber) A	4. S.O. to 25 th October, 2018 High on Board.	
APPEARANCE. (Vember CT)	Sd/-	
- Smi : Pronæm Mahapan	v. (A.P. Kurhekar) Member-J	
Advocate for the Applicant	(skw)	
Striffint A: D. 1200 gt		
Adj. S.O. to . 25 1018 Reply heled by Fultap		
R. NO. 1. V FH/HOB		

(C. P. J. 2260(B) (50,000 (222015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	<u>O.A.839/2018</u>	
	Shri M.S. Hattali Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. The Applicant and Advocate absent. Heard Ms. N.G. Gohad, learned Presenting Officer for the Respondents	
	2. The learned P.O. seeks two weeks time to fil Affidavit-in-reply. Time granted.	
	3. S.O. to 19 th November, 2018.	
PARE 23/10/18	Sd/-	
5 Les A. P. Kceshelzon, Neuloercy	(A.P. Kurhekar) Member-J 23.10.2018	
Advocale absent	(skw)	
Advice all for the Applicant Stat/Smit 116. N.G. Coha D C.P.O/P.O. for the Respondent/s		
Adj./S.O. to 19/11/18		

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunai's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.1085 /2017 with O.A.1119/2017,</u> <u>O.A.1120/2017, O.A.1125/2017 and O.A.135/2018.</u>	
	Shri D.T. Nawle Vs.	Applicants
DATE <u>2.3/10/18</u> CORAM Horible Shrip N. DIXIT (Member) A. Skai. A P. Kushel - con, Makilo of C) APPEARANCE: Shrij Sont - A. V. Boundice or dokco Artvocate for the Applicent	 The State of Mah. & ors Respondents 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougula learned Presenting Officer for the Respondents 2. The learned P.O. files replies of Responden Nos. 1 to 5 in O.A.No.1119/2017, for Responden Nos.1 to 3 in O.A.No.1120/2017 and for Responden No.2 in O.A.No.1125/2017. The same are taken o record. 3. The said matter be kept with connecte matters i.e. O.A.1119/2017, O.A.1120/2017 O.A.1125/2017 and O.A.135/2018. 	
Shrilsmt A: J: chocycle CP:07P.O. for the Respondences	· · ·	Sd/-
Adjus. 0, to <u>6/11/18</u> . Peply filed Gey Peets. (Grocep)	(skw)	(A.P. Kurhekar) Member-J 23.10.2018

M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'fribunai's orders	
	<u>O.A.594/2018</u>	
	Shri G.B. Lokhande Vs. The State of Mah. & ors.	Applicant Respondents
	 Heard Shri A.V. Bandiwadekar, learne Advocate for the Applicant and Ms. N.g. Gohac learned Presenting Officer for Respondents. 	
	2. The learned Advocate for the Applicant fil Rejoinder on behalf of the Applicant. The same taken on record.	
DATE <u>23/10/18</u>	3. Since the pleadings a admitted and kept for final he 2018.	re complete, the O.A. is aring on 20 th November,
Steen A.P. Keeshe Kar Newbork	4. The Respondents are rejoinder, if required.	e at liberty to file Sur-
Shugat AN BOMAL Conclusion	5. S.O. to 20 th November	, 2018. Sd/-
Advocate for the Applicent Satismently. MG. Gohad C.P.O.P.O. for the Respondent's D.A. 23 advice the d.		(A.P. Kurhekar) Member-J 23.10.2018
Adj. S.O. to 20/11/18 Replinder kiled @m/	(skw)	, , , , , , , , , , , , , , , , , , ,

M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	inal's orders or Tribunal's orders	
	Shri A.N. Gaikwad Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learne Presenting Officer for the Respondents	
DATE 23/10/18 CORAM Lonple Shriph. DIXIT (Member) A. SLW. A.P. Kenkelkan Member APPEARANCE: Shriften R. P. Jagdale Advocate for the Applicent Shriftent A.T. Chargelle C.A.O.M.O. for the Respondent/s Advocate A. D. A. Les disposed of Member OT	produced a letter dated 27 client informing him that he service, and therefore, this C same is taken on record an purpose of identification. 3. The learned P.O. withdrawal of O.A.	has been reinstated in A. be withdrawn. The d marked as 'X' for the has no objection for action survives in view ant in service, the O.A
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GC 1° + J 2260(b) (50,000 - 2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'fribunai's orders <u>O.A.253/2018</u>	
	Shri S.V.Kasare Applicant	
	Vs. The State of Mah. & ors Respondents	
	1. Heard Shri J.N. Kamble, learned Advocate for the Applicant and Ms. S.T Suryawanshi, learned Presenting Officer for the Respondents	
	2. Since the pleadings are complete, the O.A. is admitted and kept for final hearing on 30 th November, 2018.	
DATE 23/10/18	3. The Respondents are at liberty to file Sur rejoinder, if required.	
CORAM	4. S.O. to 30 th November, 2018.	
Shui A.p. Keeshekar, (hourber)	~ .\v7 ∕∕ Sd/-	
APPEARANCE: Shisht I.N.K. emple	(A.P. ^V Kurhekar) Member-J 23.10.2018	
Advocate for the Applicent	(skw)	
Shrivson ILL S. Score accordinghi		
Adj./5.0. to 30/10/18.		
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ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

M.A./R.A./C.A. No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders	
······································		
	O.A.965/2017 with O.A.1090/2017	
	Shri S.P. Shivalkar & Ors Applicants Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Ms. R. Todankar, learned Advocate for the Applicants and Ms. N.G. Gohad, learned Presenting Officer for the Respondents	
DATE 23/10/18	2. The O.A. be kept with another connected matter i.e. O.A.1090/2017.	
CORAM	3. S.O. to 1 st November, 2018.	
tionible Shrt P.N. DIXIT (Momber) A. Shai. A. P. Kcerhekan, Membork	Sd/-	
APPEARANCE: Shrismt: R. Todonkar	(A.P. Kurhekar) Member-J	
Advocate for the Applicant	(skw) 23.10.2018	
Spri/Smt flys. N.G. Gohad		
ACH/S.O. 10 1/11/18.		

ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrat's orders	Tribunal's orders <u>O.A.293/2017</u>	
	Shri S.M. Sawant Vs. The State of Mah. & ors.	Applicant Respondents
	 Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad learned Presenting Officer for the Respondents Since the pleadings are complete, the O.A. is admitted and kept for final hearing on 29th November 2018. 	
DATE 23/10/18	3. S.O. to 29 th November,	2018.
Ster A. P. Heesha (2007) Manhosts)		Sd/- (A.P. Kurhekar)
AFFEARANCE: Same D. V. Bandicesodokon	(skw)	Member-J 23.10.2018
Activocate for the Applicant		
C.2.0/P.O. for the Respondent/s Adj./5.O. to		an a
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Office Noise, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	'I'ribunal's orders <u>O.A.842/2017</u>	
	Shri B.A. Dane & Ors. Vs.	Applicants
	The State of Mah. & ors.	Respondents
	1. Heard Shri C.T.Chandratre, learned Advocate for the Applicants and Ms. S.T.Suryawanshi, learned Presenting Officer for the Respondents	
	2. The learned Advocate for the Applicants seeks time to file Rejoinder on behalf of Applicant Nos.1 and 5. Time granted.	
DATE 23/10/18 CORAM	3. S.O. to 30 th October, 2018.	
Hon'de Shiph. DIXIT (Nombar) & Shei, A.P. Kcerhe Ker, Nombor)	Sd/-
APE- NCE: Sha handrates		(A.P. Kurhekar) Member-J 23.10.2018
Advoice the Applicant	(skw)	
Shriff-Ms. S. Sceregeenenshi C.P. Por in Respond		:
Ad 15.0 to 30 10 18		

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.910/2017</u>	
	Shri P.A. Misal Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents	
DATE \$3/10/18	2. The learned P.O. files reply on behalf of Respondent No.1. The same is taken on record.	
AM Hon ple Shrt P.N. DIXIT (Momber) A Steri. A. P. (Kcerhe (Kor, Mamberch)	3. The learned Advocate for the Applicant seeks leave to correct the title clause in respect of Respondent No.1. Leave granted.	
EARANCE:	4. The learned Advocate for the Applicant seeks time to file Rejoinder. Time granted.	
seate for the Applicent	4. S.O. to 6 th November, 2018.	
stimmer A.J. chougule	Šd/-	
- P.O. for the Respondent's	(A.P. Kurhekar)	
18.0. to 6/11/18.	Member-J	
Leply biled by R. 100.1 Min/	(skw) (skw)	

ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Appearance, Tribunal's orders or Tribunal's orders		15
	Shri V.D. Jadh Vs.	av	Applicant
	The State of N	lah. & ors.	Respondents
DATE 23/10/18	 Heard Ms. Bhaggyashree Upadhyay holding for M. Khema, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents 16 to 18 and Smt. Punam Mahajan, learned Advocate for Respondent Nos.1 to 15. The learned Advocate for the Applicant seeks time to file reply in the M.A. Time granted. S.O. to 28th November, 2018. 		
CORAM Harible Shriph Dixit (Momber) A She A' Diktorke Ker, Member (1)			
APPEARANCE:			2018.
M. Khemka.			Sd/-
Advocate for the Applicant Shrilsmt A: J. Choce gell G.P.O.T. O. for the Rescondent/s 16 to 18. Shut Pernaum Mehayan	(skŵ)	(A.P. Kurhekar) Member-J 23.10.2018
Ad/ so to 28/11/18:			
5.0. TO 2011110		· ·	
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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions, and Registrar's orders

Tribunnl's orders

O.A.925/2018

Shri V.M. Patil Vs. ... Applicant

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

1. Heard Shri V.M. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents

2. Issue notice returnable on 28.11.2018.

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

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

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

6. The service may be done by Hand Delivery / Speed Post / Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

8. S.O. to 28th November, 2018.

(skw)

Sd/-

(A.)². Kurhekar) Member-J 23.10.2018

DATE 23/10/18

CORAM Honiple Shriph. DIXIT (Momber) A Shar. A. P. I-Keehakcen, Member 267)

APPEARANCE: Salam V.M. Pati

Edvocate for the Applicant

CPOPO for the Respondent/s

Ad1/5:0. 10 . 28/11/18

Shrilsmen A.J.

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ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.608/2018</u> Shri K.E. Pawar Applicant Vs. The State of Mah. & ors Respondents	
	1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for Respondents.	
	2. Heard for some time.	
	3. During the course of hearing, it was transpired that the Applicant has been transferred recently by order dated 3 rd October, 2018 from Baramati to Newasa, District : Ahmednagar.	
DATE 23/10/18 CORAM	4. In the O.A, the challenge was to the order withdrawing the powers of the Applicant. But no he has been transferred by order dated 3 rd Octobe 2018. The said order of transfer is not subject math of this application.	
APPEARANCE: Shi A. P. Keeshalaar, Members APPEARANCE: Shi A. N. Bondiceradoker	5. The learned Advocate for the Applicar therefore, sought time to amend the pleadings so to challenge the transfer order dated 3 rd Octobe 2018. Leave granted to carry out the amendment.	
Advocate for the Applicant Shrif9mt : N.G. G. chack	6. The Respondents may file Affidavit-in-Su rejoinder to the amended pleadings in the Affidavit.	
-C.P.O.P.O. for the Respondent/s	7. S.O. to 31 st October, 2018.	
Adj./S.O. to 31/10/18	Sd/-	
	(A.P. Kurhekar) Member-J 23.10.2018	

(skw)

GC P + J 2260(B) (50,000 -2-2015) ISpl. MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'Tribunal' s orders	
	<u>O.A.951/2017</u>	
	Shri H.K. Rajopadhye Applicant Vs.	
	The State of Mah. & ors Respondents	
	1. Heard Shri A.R. Joshi, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents 1 to 4 and Shri Chavan, learned Advocate for Respondent No.5.	
	2. The learned Advocate for the Applican tenders a letter dated 17.10.2018 written by his clier requesting him to withdraw this O.A. with permissio to file fresh O.A, if required.	
DATE 23/10/18	3. The learned P.O. has no objection for withdrawal of the O.A.	
CCRAM Equivie Shriph. Dixit (Member) A Shar, A.P. Keeshel < as, Menuber()	4. In view of the above, permission granted to withdraw this O.A. with liberty to file fresh O.A. in accordance with the Rules.	
APPEARANCE: Stant A.R. Toshi	5. The O.A. stands disposed of as withdrawn. No order as to costs.	
Advocate for the Applicant		
Shritsment A. J. choce quele chore p. for the Respondential No 1 tog shere chavan foor p. 100.5 Adj. 180. to D. A. es desposed of My	Sd/- (А.Р. киглекаг) Member-J 23.10.2018	

GCP (J-2250(B) (50,000) (2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
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	<u>O.A.611 /2018</u>	
	Shri K.S. Takawale Vs.	Applicant
	The State of Mah. & ors.	Respondents
	1. Heard Smt. Punar Advocate for the Applicant learned Presenting Officer for	and Shri A.J. Chougule,
DATE 231018	2. Since the pleadings an admitted and kept for find the November, 2018.	re complete, the O.A. is nal hearing on 22 nd
CORAM	3. 5.O. to 22 nd November,	2018.
Han ble Shriph. N: DIXIT (Momber)A. Shay, A.P. Kceekal <ae, nember(j)<="" td=""><td></td><td>Sd/-</td></ae,>		Sd/-
APPEARANCE: Stand Malagen Advocate for the Applicant		A.P. Kurhekar) Member-J 23.10.2018
Shritsmet A.J. choagele C.P.O.P.O. for the Respondent/S	(5kw)	
Adj./S.O. to		· · · ·
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Sple MATJE2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrur's orders	Tribunal's orders <u>O.A.525/2018</u>	
	5hri A.U. Zende Applicant Vs.	
	The State of Mah. & ors Respondents	
	respondents	
	 Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents. 	
	2. The learned P.O. has produced the order issued by Home Department, State of Maharashtra dated 17 th October, 2018 in which the Applicant has been promoted to the past of Department.	
DATE 23/10/18	been promoted to the post of Deputy Superintendent of Police. She submitted that, in view of promotion, nothing survives in the O.A.	
	3. The learned Advocate for the Analysis of the	
Hanible Shri P.N. DIXIT (Momber) A Shir A. P. Keeshekas, Membergy	submitted that, in view of promotion of order of her	
APPEARANCE: Smither Mahayan	client, no cause of action survives to continue the present O.A. challenging the transfer of the Applicant.	
Advisate for the Applicant	4. In view of above, the O.A. is disposed of. No order as to costs.	
Mg. S. Scerejorochen	Sd/-	
CEOTTO, for the Respondent/s		
A is disposed	(A.P. Kurhekar) Member-J	
ot.	(skw) 23.10.2018	
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(Spl. MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'fribunai's orders	
	<u>O.A.462/2018</u>	
	Shri S.D. Joshi Applicant	
	The State of Mah. & ors Respondents	
	1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents	
	2. The learned P.O. has produced a letter dated 22.10.2018 by which the leave of the Applicant has been sanctioned. The same is taken on record.	
DATE 23/10/18 CORAM Hongle Shit P.N. DIXIT (Momber) A Shar A.P. Keeshekar, Menuber() APEEABANCE:	3. The learned P.O. on instructions stated that the Government is not contesting the O.A. and the pensionary benefits will be released soon. She sough two days' time to take instructions from Responden Nos.1 and 2 and to inform this Tribunal furthe	
Ser Malagan	development in the matter of releasing the pensionary benefits.	
Advocate for the App il oant	4. S.O. to 25 th October, 2018.	
C. H. S. S. Scereg coerces he C. H. S. for the Respondent/s	Sd/-	
Adj. 13.0 to	(A.P. Kurhekar) Member-J 23.10.2018	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunul's orders	
	<u>O.A.455/2018</u>	
	Shri R.K. Jadhav Vs.	Applicant
	The 5tate of Mah. & ors.	Respondents
	1. Heard Smt. Punam Mahajan, learne Advocate for the Applicant and Ms. S.T. Suryawansh learned Presenting Officer for the Respondents	
DATE <u>23/10/18</u> CORAM	2. The learned P.O. ha 22.10.2018 issued by Direct Research wherein it is stat against the Applicant has negative report of Enquiry benefits are being sanctione	ed that the D.E. initiated been closed in view of y Officer and pensionary
APPEARANCE: Smith Runcens Manaysan	 The learned Advocate for the Applicar pointed out that the Applicant is retired in 2013 an in spite of closer of D.E, he has been deprived or pensionary benefits. In view of letter dated 22.10.2018, th Respondents are directed to release the pensionar benefits immediately. 	
Active rate for the Applicent Stort Mg. S. Scerygeorenski Stort D. for the Respondent/s		
Aci, 13. 0. to 9-7/11/18.	5. The learned P.O. see the needful.	eks four weeks time to do
- Carney	6. S.O. to 27 th Novembe	er, 2018.
		N
		_Sd/-
		(A.P. Kurhekar) Member-J
	,	23.10.2018
	(skw)	

(C ()) = J (2260(B) (50,000+-2-2015) -

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders 13/10/18 Date: 23.10.2018 (oram - Hon'shi P.H. Diait (m-D) R. A. No.08 of 2018 in O. A. No.468 of 2017 Shin O. P. Joshy ON Fr S. V. BhagatApplicant He prolicane Stai & J. Chongules Poter de Respondents. Versus The State of Maharashtra & Ors.Respondents. 0012027111/18. Heard Shri A. R. Joshi, the learned Advocate for the 1. Applicant and Shri A. J. Chougule, the learned Presenting Officer for the Respondents. At the request of the learned Advocate for the 2. Applicant the matter is adjourned to 27.11.2018. 3. S.O. to 27.11.2018. Sd/-(P. N. DIXIT) **MEMBER (A)** VSM

(C.C.P. J 2260(B) (50,000-2:2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL Spl.- MAT-F-2 E. MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Date : 23.10.2018 ^{[ribunal's orders} O. A. No.184 of 2018	
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	T. B. NaikApplicant	
	Versus	
	The State of Maharashtra & OrsRespondents.	
DATE: 231(01(8) CORAM: Hon'ble Justice Shri A. H. Joshi (Chairmen) Hon'ble Shri P. N. Dixit Member (A)	1. Heard Shri T. V. Jadhav, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.	
Advocate for the Applicant	2. Learned C.P.O. for the respondents mentions that the matter may be placed before the Division Bench as far as the interim relief is concerned.	
Shri/Smt. S.P. manchebox C.F. /P.O. for the Respondent/s Adl/S.O. to1018	3. Interim relief to continue till the matter comes before the Division Bench on 25.10.2018.	
Euledin relief to continue will the marked	4. S.O. to 25.10.2018.	
Comes before ne olb		
on estibility.	Sd/-	
e-	(P. N. DIXIT) MEMBER (A)	
	VSM	

(G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	versus	
The Stat	e of Maharashtr	a and others
		a and onlers
(Presenting Officer	·	Respondent/s
		·······)
Office Notes, Office Memoranda of Coram, Appearance, Tribunars orders or directions and Registrar's orders		Tribunal's orders
	Date : 23.10	.2018
		O. A. No.556 of 2018
	V. D. Thorat	Applicant
DATE: 23710718	Versus	
CORAM :	The State of	
H on'ble Justice Shri A. H. Joshi (Chairman) -	The state of	Maharashtra & OrsRespondents.
Hon'ble Shri P. N. Dixit Member (A)	1. Heard	Shri D. R. Khaina the lange late
Shri/Smt. D B CLOUTE	the Applicant	Shri D. B. Khaire, the learned Advocate for
	Presenting Off	and Ms S.P. Manchekar, the learned Chief
Advocate for the Applicant	i resenting On	icer for the Respondents.
Shri/Smt.: S.P. Wg Lcl.elect C.I. /P.O. for the Respondent/s	2. By cons	ent the matter is adjourned to 01.11.2018.
Ad1/S.O. to 111/18.		
By conselle :-		Sd/-
		(P. N.IDIXIT) MEMBER (A)
	VSM	
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ISPL: MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	Date : 23.10.2018 M. A. No.378 of 2018 in O. A. No.686 of 2018	
DATE: 23710118		
CORAM:	D. D. RawleApplicant	
APPEAR (Store)	Versus	
skn/smt: puran mehajay	The State of Maharashtra & OrsRespondents.	
Advocate for the Applicant Shri/Smt : A. G. Ge had C.F. P.O. for the Respondent/s	 Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents. 	
015.0. E. 1914 118	2. Matter is adjourned to 19.1 1 ,2018 as a last chance,	
Le ·		
	Sd/-	
	(P. N ⁽ DIXIT) MEMBER (A)	
	VSM	
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(G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	
			Applicant/s
(Advocate)		
	versus		
The State	e of Maharashtra	and others	· · · ·
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
· · · · · · · · · · · · · · · · · · ·	Date : 23.10.20)18	
		O. A. No.621 of 201	8
	V. K. Patil	`	Applicant
DATE: USTIO118 COBANN:	Versus		
ton big justice of the	The State of M	aharashtra & Ors.	Respondents.
Hon'ble Shir P. N. Dixit Member (A) <u>APPEARANCE</u> Shir Smt		ri N. Y. Chavan, the lea d Ms N. G. Gohad, the espondents.	
C. 20 for the Respondent/s	2. S.O. to 26	.10.2018.	
Adj./ S.O. to			
		Sd/- (P. N.º DIXIT)	
		MEMBER (A)	
	VSM		
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	Date : 23.10.2018	
	O. A. No.519 of 2018	
DATE: 231(0))8 CORAM:	S. N. HajareApplicant Versus	
Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A) APPEARANCE:	The State of Maharashtra & OrsRespondents.	
APPEARANCE: Shi Smt. P. 4 Mars mahajay, Advocato for the Applicent Shi Smt. of 6 Color	 Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents. 	
Sherant and 6 60 60 1	 Learned P.O. for the Respondents proposes to file reply during the course of the day. 	
	3. S.O. to 30.10.2018.	
	Sd/-	
	(P. N. ¹ DIXIT)	
	MEMBER (A)	
	VSM	
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GCP (J 2260(B) (50.000 (-2.2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL ISpl. MAT-F-2 E. MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	'Tribunal's orders	
	Date : 23.10.2018	
DATE: 23 110/18	O. A. No.461 of 2018	
CORAM: Hen'ble Justice Shrl A. H. Joshi (Chairmen) Hon'ble Shri P. N. Dixit Member (A) <u>APPEARANCE</u> : Sh. Jant : Nore for the Applicant Additional Science for the Applicant Shriftonal Science Augustus C. 20 for the Respondent's Addition to 2011/18	 A. L. DubeApplicant Versus The State of Maharashtra & OrsRespondents. 1. None for the Applicant. Heard Ms S. Suryawanshi, the learned Presenting Officer for the Respondents. 2. At the request of the learned P.O. for the Respondents the matter is adjourned to 20.11.2018. 3. S.O. to 20.11.2018. 	
	Sd/- (P. N. DIXIT) MEMBER (A)	
	VSM	

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's order	ŝ
directions and Registrar's orders DATE: <u>25110118</u> <u>CORAM</u> : Honble director Shrip, M. Joshi (Chairman) Honble Shrip N. Divit Member (A) APPEARANCE: Stream: <u>Puram</u> <u>Majay</u> Advasate for the Applicant Min/Smt. <u>S. P. on a volctor</u> Min/Smt. <u>S. P. on a volctor</u>	Date : 23.10.2018 O. A. No.437 of Dr. M. B. Bansode Versus The State of Maharashtra & Ors. 1. Heard Smt. Punam Mahajan for the Applicant and Ms S. P. M Chief Presenting Officer for the Resp	Applicant Respondents. , the learned Advocate anchekar, the learned
2	2. Learned C.P.O. seeks adjourn	ment in the matter.
	3. S.O. to 27.11.2018.	
	Sd/- (P. N. ^I DIXIT) MEMBER (A	
	VSM	

ISPLEMAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunai's orders or directions and Registrar's orders	Tribunal's orders Date: 23.10.2018	
	D. A. No.335 of 2018	
· · ·	D. 5. RaghatwanApplicant	
DATE: -1.1.0	Versus	
DATE: 23/10/18. CORAM:	The State of Maharashtra & DrsRespondents.	
Homble Justice Shrifte H. Joshi (Cheirman) Homble Shrifte P. N. Dixit Member (A) <u>APPEARANCE</u> Shriftson a. N. N. Tog Ly Advocate for the Applicant	1. Heard Shri V. V. Joshi, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.	
Shri/Smt Anche ve B-k C.> P.O. for the Respondent/s	 Learned P.O. seeks four weeks time to file reply on the amended portion of the prayer. 	
Add. / S.O. to 27/11/19.	3. S.O. to 27.11.2018.	
	Sd/-	
	(P. N. DIXIT) MEMBER (A)	
	VSM	

ALA/B.A.C.A. No.

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of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions, and Registrar's orders	'Tribunal's orders
	Date : 23.10.2018 O. A. No.641 & 642 of 2018
DATE: 201018 CORAM Han'ble dustice Shri A. H. Joshi (Ohairman) Hon'ble Shri P. N. Dixit Member (A) APPEARANCE:	M. V. Mengrati & OrsApplicants Versus
Aria wate for the Applicant Strong S. P. Marcheled 20 for the Respondents	 The State of Maharashtra & OrsRespondents. 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
C. 20 for the Respondent/s Adj./ S.O. to Odwif Sopo 30 110118.	2. Original Application is admitted and kept for final hearing on 30.10.2018 with liberty to file rejoinder, if any.
with 0,064418)	3. S.O. to 30.10.2018.
	Sd/- (P. N ^{.(} DIXIT) MEMBER (A)
	VSM

MA/RA/CA, No.

of 20

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Original Application No.

of 20

Tribunal's orders Date : 23.10.2018 M. A. No. 226 of 2018 in O. A. No.331 of 2018	
Sd/- (p. n. dixit) MEMBER (A)	

ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

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Original Application No.

of 20

Office Notes, Office Memorands of Coram, Appearance, Tribunul's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 23.10.2018 O. A. No.76 of 2018	
DATE: 13110118		Applicant
Hontice Austice Shrid II Joshi (Chairmon) Hontice Will Member (A) Appendix N. Dixil Member (A) Shri Smt. R. P. Jigdele Advorate for the Applicant Shri Smt. N. G. Go had C. P.O. for the Respondents Adj./ S.O. to <u>Adjuid</u> due Cottese for fivel hearing.	 Versus The State of Maharashtra & Ors 1. Heard Shri K. R. Jagdale, the learned the Applicant and Ms N. G. Gohad, the learned officer for the Respondents. 2. Original Application is admitted an hearing in due course. 	rned Presenting
	Sd/-	
	(P. N. DIXIT) MEMBER (A)	
	VSM	•

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M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

Office Notes, Office Memorands of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 23.10.2018
	O. A. No.287 of 2018
	V. R. Thakur Applicant
DATE: at 1 A D	Versus
DATE: 05/10/18. CORAM: Hentile Justice Shrife. 14 Joshi (Chairmon)	The State of Maharashtra & OrsRespondents.
Hon'ble Shri P. N. Dixit Member (A) <u>APPEARANCE</u> : Shri/Sont. <u>Toellay</u> for the Applicant	 Heard Shri T. Jadhav holding for Shri R. K. Mendadkar, the learned Advocate for the Applicant and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.
Shri/Smt. OJ chougules, C. P.O. for the Respondent's Adj./S.O. to Heard. Order Passed-in Fribulal	2. Learned Advocate for the Applicant mentions that the matter has become infructuous of interim relief provided by the Hon'ble High Court. He, therefore, prays to dispose off the O.A.
Column. OD is disposed off.	3. In view of the above, the Original Application is disposed off.
e de la companya de l	
	Sd/-
	(P. N. DIXIT) MEMBER (A)
	VSM

(G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20 DISTRICT
	Applicant/s
(Advocate)
	versus
The State	of Maharashtra and others
	Respondent/s
(Presenting Officer	······)
Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 32 10 2010
	Date : 23.10.2018
	O. A. No.790 of 2018
	With
	O.A. No.482 of 2018
DATE: 25/10/18 CORAM:	V. T. Thok & anrApplicants
Healble Justice Shr. A. H. Joshi (Ohairman)	Versus
Hon'ble Shri P. N. Dixit Member (A) APPEAPANCE: ShrivSmt. O. V. Havdia dua	The State of Maharashtra & OrsRespondents.
Advocate for the Applicant	1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicants and Ms S. P. Manchekar, the
Staismt: S. P. Main leker with	learned Chief Presenting Officer with Smt Kranti Gaikwad, learned Presenting Officer for the Respondents.
Ad1/5.0. to 3.0 110/18 62 9	
Lost chance	2. Learned C.P.O. seeks one week's time to file reply.
Ŀ	3. S.O. to 30.10.2018 as a last chance.
	, ,
	Sd/-
	(P. N. ^t DIXIT)
	MEMBER (A)
	VSM

(G.C.P.) J 2260 (A) (50,000–2-2015) ISpl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT Applicant/s (Advocate)

versus

The State of Maharashtra and others

..... Respondent's

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.10.2018 O. A. No.1096 of 2017	
DATE: 2110118. <u>CORAM</u> : Hon'ble Justice Shrid. H. Jeshi (Chairman) Hon'ble Shn F. N. Dixit Mamber (A) <u>APPEARANCE</u> : Shrifsmt. <u>PUNSION</u> <u>velejam</u> Advocate for the Applicant ShriftSmt. <u>S. P. Negrelekter</u> C. <u>P.O. for the Respondents</u> Add./ S.O. to <u>Adwit</u> <u>due Course</u>	for the Applicant and Ms S.P Presenting Officer for the Re 2. Original Application hearing in due course. (P. 1	Aahajan, the learned Advocate . Manchekar, the learned Chief
	VSM	•

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Office Notes, Office Memoranda of Corun, Appearance, Tribanal's orders or directions and Registrar's orders

Tribunal's orders

Date : 23.10.2018

O. A. No.847 of 2018

D. K. Naik

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri K. R. Jagdale, the learned Advocate for the Applicant and Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 22.11.2018.

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

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

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

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

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

8. S.O. to 22.11.2018.

(P. N. DIXIT) MEMBER (A)

Sd/-

Advocate for the Applicant

Shri/Smt.: S. f. War Lelow C.F. P.O. for the Respondent's

Adi/S.O. 10 22111/19 order pascol in Tribulal Column Sobaalii/18.

VSM

G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA	ADMINISTRATIVE TRIBUNAL MUMBAI
Original Application No.	of 20 DISTRICT
	Applicant/
Advocate	
	versus
The State	of Maharashtra and others
	Respondent/
Presenting Officer	
Office Notes, Office Memoranda of Corum, Appearance, 'Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 23.10.2018
DATE: 23110118	O. A. No.497of 2017
CORAM :	G. D. PawarApplicant
Hon'ble Shiri P. N. Dixit Member (A)	Versus
shirt N. y. c Landa 4	The State of Maharashtra & OrsRespondents
Advocate for the Applicant Stristment S. P. n.g. r. Letan Control Respondent/s Adj. J.O. Durit Adj. J.O. Durit Aue course for firal hearing.	1. Heard Shri N. Y. Chavan, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chie Presenting Officer for the Respondents.
	2. Original Application is admitted and kept for fin hearing in due course.
	Sd/-
	(P. N ^I DIXIT)
	MEMBER (A)
	VSM
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(G.C.P.) J 2260 (A) (50,000-2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

MUMBAI				
Original Application No.	of 20	District	Applicant/s	
(Advocate)	·		
	versus			
The Stat	e of Maharashtra and	others		
			Respondent/s	
(Presenting Officer	······)			
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Date : 23.10.2018	Tribunal's orders	· · · · · · · · · · · · · · · · · · ·	
	C). A. No.957 of 201	L7	
DATE: 25/10/18 CORAM:	A. M. Khan		Applicant	
Hon'ble Justice Shri A. H. Joshi (Chairmen) - Hon'ble Shri P. N. Dixit Member (A)	Versus			
APPE ARANCE: States Puran velajay.	The State of Maha	arashtra & Ors.	Respondents.	
Advocate for the Applicant				
Shri/Smi.: 191 clara B-6.	Presenting Officer for		B. K., the learned	
Adi/S.O. to Advist	2. Original App hearing in due cour		d and kept for final e rejoinder, if any.	
Liberty.	-			
		Sd/-		
		(P. N. DIXIT) MEMBER (A)		
	VSM			
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(G.C.P.) J 2260 (A) (50,000---2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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 Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 23.10.2018	
	O. A. No.975 of 2017	
	S. B. DeosarkarApplicant	
DATE: 23110118	Versus	
CORAM : Herbie Justice Stari A H. Joshi (Chaine	The State of Maharashtra & OrsRespondents.	
Hon'ble Enn P. N. Dixit Member (A) <u>ACPEARANCE</u> Shini Smit. P. u. Cerm meloning M. Acocste for the Applicant	1. Heard Smt. Punam, Mahajan, the learned Advocate for the Applicant and Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.	
ShtilSmts. P. menclekay C. P.O. for the Respondent's	2. Original Application is admitted and kept for final hearing in due course with liberty to file rejoinder, if any.	
Adj./S.O. to definit . Due Lawse with		
L'astro	Sd/-	
	(P. N. DIXIT)	
	MEMBER (A)	
	VSM	

(G.C.P.) J 2260 (A) (50,000-2-2015)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No.	of 20 Dist	RICT
		Applicant/s
(Advocate)	·
	versus	
The State	of Maharashtra and others	
		T
(Presenting Officer)	Respondent/s
Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orde	Prs
	Date : 23.10.2018	
	O. A. No.209 of	2017
	B. S. Chaudhari	Applicant
	Versus	
DATE: 23/10/18 CORAM:	The State of Maharashtra & Ors.	Respondents.
CORAM : Hon'ble Justice Shri A. H. Joshi (Chairmen) Hon'ble Shri R. N. Dixit Member (A) <u>APPEAFARCE:</u> ShrivSmt	1. Heard the Applicant in pers the learned Presenting Officer for	on. Smt. Archana B. K.,
	Shri S. S. Dere, learned Advocate fo Shri V.P. Potbhare, the learne Respondent No.2.	the Respondent No.1.
Shri/Smt : S: S Defe		
C. P. P. Bleede An 10.2. Adj. 3.0. io	2. Respondent Nos.1 and 2 s filing reply to the substituted O.A.	eeks adjournment for
-A_	3. S.O. to 02.11.2018.	
	Sd/-	
	(P. Ń. DIXIT MEMBER (A	
	VSM	
	1.101	

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

Tribunal's orders

Date: 23.10.2018

O. A. No.776 of 2017

N. A. Polani

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicant and Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 19.11.2018.

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

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

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

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

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

8. S.O. to 19.11.2018.

Sd/-(P. Ň) DÍXIT) MEMBER (A)

DATE: <u>A310118</u> CORAM: Hen'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri P. N. Dixit Member (A) <u>APPEARANCE</u>: Shri/Smt. O. Y. Bardi codeboa

Advocate for the Applicant

SphiSmt: S. P. or avole land, C. 20 for the Respondent/s

Add. 15.0. to 19/11/118. order passed in Fribunal Column. MUMIDAL

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 23.10.2018 O.A.No.788 of 2018 with O.A.No.789 of 2018		
	S.V. Palve & Ors. (O.A.No.788 of 2018) G.D. Dhakne & Ors. (O.A.No.789 of 2018)		
	Applicants Versus		
	The State of Maharashtra & OrsRespondents.		
DATE: 2-3/10/2018 CORAM: Henible Justice Shri A. H. Joshi (Cheirman) Honible Shri A. H. Joshi (Cheirman) Honible Shri P. H. Dixit (M/A) <u>APPEARANCE:</u> Shri/Soil Minam Mahejan Advocations of MAM Mahejan Advocations of MA	 Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer with Smt. Archana B.K., the learned Presenting Officer for the Respondents. Interim relief to continue until passing the judgment. Reserved for order. 		
HE.	(P.N. Dixit) (A.H. Joshi,).) Member (A) Chairman sba		