

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>24.02.2016</u></p> <p><u>O.A No 1057 /2015</u></p> <p>Heard Shri D. N Karande, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>Learned P.O stated that all the arrears have already been paid to the Applicant and nothing survives in the Original Application.</p> <p>However, Learned Advocate Shri Karande stated that the Applicant has not been paid interest on the delayed payment. Learned P.O is directed to file detail affidavit in this regard.</p> <p><u>24/2/16</u></p> <p><b>CORAM :</b> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><b>APPEARANCE :</b> Shri/Smt. <u>D. N. Karande</u> Advocate for the Applicant Shri/Smt. <u>K. B. Bhise</u> C.A.O/P.O. for the Respondents</p> <p><u>S.O to 9/3/16</u></p> <p><i>[Signature]</i></p>	<p align="center"><u>24.02.2016</u></p> <p align="center"><u>O.A No 1057 /2015</u></p> <p>Heard Shri D. N Karande, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>Learned P.O stated that all the arrears have already been paid to the Applicant and nothing survives in the Original Application.</p> <p>However, Learned Advocate Shri Karande stated that the Applicant has not been paid interest on the delayed payment. Learned P.O is directed to file detail affidavit in this regard.</p> <p align="center">S.O to 9.3.2016.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

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**24.02.2016**

**O.A No 1067 /2015**

Heard Shri A. Jain, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Learned Advocate Shri Jain files affidavit in rejoinder. O.A is admitted. Respondents are at liberty to file sur-rejoinder, if need be.

Place for final hearing on 16.3.2016.

Sd/-

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(Rajiv Agarwal)  
Vice-Chairman

RE: 24/2/16

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. A. Jain

Advocate for the Applicant

Shri/Smt. K. B. Bhise

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

O.A. is admitted.

Adj. s.o. to 16/3/16

Rejoinder filed by Applicant.

FH  
*[Signature]*

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

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Original Application No.

of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE: 24/2/16</u></p> <p><b>CORAM:</b> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><b>APPEARANCE:</b> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondents</p> <p><u>S.O. to 23/3/16.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>24.02.2016</u></p> <p align="center"><u>O.A No 41/2016</u></p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission made returnable on 23.3.2016.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>7. S.O to 23.3.2016. Learned C.P.O waives service of notice.</li> </ol> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p align="center">Akn</p>

IN

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**24.02.2016****O.A No 989, 990 & 1030 /2015**

Heard Shri C.T Chandratre, learned advocate for the applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Learned P.O files affidavit in reply. Learned Advocate Shri Chandratre states that he does not wish to file rejoinder.

O.A is admitted. Place for final hearing on 1.3.2016.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Akn

TE: 24/2/16CORAM:

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

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

APPEARANCE:

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. K.B. Bhise

~~C.O.P.O. for the Respondents~~

O.A. is admitted.

~~Adj. To Reply Filed by Respondents~~

S.O. to 1/3/16.

FH  
Cud

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

Tribunal's orders

O.A. No.190 of 2016

Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 23.3.2016.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.3.2016. Ld. PO waives service of notice.

~~DATE:~~ 24/2/16

CORAM:

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

Hon'ble Shri K. B. MALIK, (Member)

APPEARANCE:

Shri/Smt. L. S. Deshmukh

Advocate for the Applicant

Shri/Smt. N. G. Gohad

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

~~Adj. To:~~ S.O. to 23/3/16.

W

Sd/-

Sd/-

(R.B. Malik)  
Member (J)  
24.2.2016

(Rajiv Agarwal)  
Vice-Chairman  
24.2.2016

(sgj)

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

Tribunal's orders

O.A. No.207 of 2016

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

2. Issue notice returnable on 23.3.2016.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. S.O. to 23.3.2016. Ld. PO waives service of notice.

DATE: 24/2/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To S.O. to 23/3/16.

Sd/-

Sd/-

(R.B. Malik)

(Rajiv Agarwal)

Member (J)

Vice-Chairman

24.2.2016

24.2.2016

(sg)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**ORIGINAL APPLICATION NO.180 OF 2016**

**DISTRICT : PUNE**

Mrs. Manjushree Mahadev Kale

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri K.R. Jagdale – Advocate for the Applicant

Miss Neelima Gohad – Presenting Officer for the Respondents

CORAM : Rajiv Agarwal, Vice-Chairman

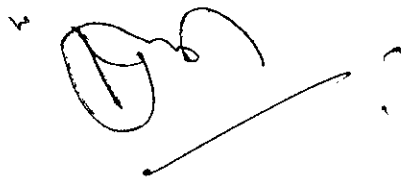
R.B. Malik, Member (J)

DATE : 24<sup>th</sup> February, 2016

PER : R.B. Malik, Member (J)

**ORDER**

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Miss Neelima Gohad, the learned Presenting Officer for the Respondents.



2. This matter is placed before us for consideration of interim order. After hearing both the sides we find that the prayer for interim relief may not be something that can be just brushed aside. The applicant came to be promoted as Office Superintendent, Pune and that is the post she holds at the moment. By the order dated 3.2.2016 herein impugned she has been reverted to the post of Head Clerk and she is naturally aggrieved thereby. We do not think it appropriate to make any detailed observation herein except that the respondent no.3 came to be promoted as Office Superintendent and posted at Amravati which posting he declined. He then came to be accommodated at Aurangabad. In this kind of a situation as far as the applicant is concerned she has suffered the fate above referred to. Miss Neelima Gohad, Ld. PO emphasizes that the applicant ought to have made a representation before moving this Tribunal with this OA. Now as to this submission of the Ld. PO we find that on the express language of Section 20 it is not as if the entertainment of the OA is entirely barred in such circumstances. After all it is the interest of justice that must prevail. However, keeping this OA pending we can still direct the applicant to make a representation which would be decided by the respondents within the time limit fixed by us. As of now Shri K.R. Jagdale, Ld. Advocate for the applicant informs that no order has been made with regard to successor of the applicant. Miss Gohad, Ld. PO further submits that she

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has no instructions in that behalf and, therefore, she cannot commit herself in any manner whatsoever.

3. Regard being had to the facts and circumstances and most importantly the interest of justice we find that the present state of affairs is that though under orders of reversion the applicant continues to hold the post of Office Superintendent in the office of Commandant, SRPF, Group-1, Pune. This is defined as status quo. The parties are directed to maintain it till further orders. The applicant is directed to make the representation on/or before 29.2.2016. If the applicant complies herewith then the respondent no.2 shall decide his representation within four weeks from the receipt thereof and communicate to the applicant the decision within one week thereafter. If the applicant fails to keep the time limit above referred to, the order of maintenance of status quo shall stand vacated.

4. Issue notice returnable on 30.3.2016.

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

6. 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.

7. 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.

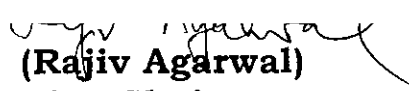
8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

9. S.O. to 30.3.2016. Ld. PO waives service of notice. Hamdast.

Sd/-

  
**(R.B. Malik)**  
**Member (J)**  
**24.2.2016**

Sd/-

  
**(Rajiv Agarwal)**  
**Vice-Chairman**  
**24.2.2016**

Date : 24<sup>th</sup> February, 2016

Dictation taken by: S.G. Jawalkar.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 193 OF 2016**

**DISTRICT : MUMBAI**

Shri J.J Jadhav )...**Applicant**

**Versus**

The State of Maharashtra & others )...**Respondents**

Shri M.R Patil, learned advocate for the Applicant.

Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents no 1 to 5.

Shri C.T Chandratre, learned advocate for Respondent no. 6.

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 24.02.2016**

**ORDER**

1. Heard Shri M.R Patil, learned advocate for the Applicant, Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents no 1 to 5 and Shri C.T Chandratre, learned advocate for Respondent no. 6.

2. The Applicant is challenging the order dated 6.2.2016 by which he has been transferred as A.C.P, Armed Police Force, Mumbai from Mahim Division. Learned Advocate Shri Patil stated that the order has been issued with the approval of the Police

*NA*

Establishment Board at the Commissionerate level in exercise of powers under proviso to sub section (2) section 22N of the Maharashtra Police Act. Learned Advocate Shri Patil stated that there are two proviso to section 22-N-(2), Proviso 1 has since been deleted which had provision of delegating powers to transfer subordinate authority and the second proviso at the end of the section reserves powers of transfer of any Police personnel in Maharashtra with the Hon'ble Chief Minister. He stated that the Applicant has ostensibly been transferred as there was a default report against him. In short there was a complaint against him. However, none of the provisions mentioned in Section 22N-1 covers that eventuality, i.e. to say that a Police Officer cannot be transferred merely on a complaint. These powers are reserved with the Hon. Chief Minister that too in cases of serious complaints. In fact, the Applicant belongs to Maharashtra Police Service and the powers to transfer a person belonging to Maharashtra Police Service are with the Home Minister under the Maharashtra Police Act. The Police Establishment Board at the Commissionerate level or even P.E.B No-II has no powers to transfer persons belonging to Maharashtra Police Service. Learned Advocate Shri Patil stated that the transfer of the Applicant is totally without authority of law and is void ab-initio. He, therefore, prayed that interim relief of staying the transfer order and restoring status quo-ante may be granted.

3. Learned Chief Presenting Officer argued on behalf of the Respondents no 1 to 5 that the Applicant has been transferred from one Police Station to Armed Police Branch in Mumbai City under the Mumbai Police Commissionerate and as per various judgments of the Hon'ble High Court, this does not amount to a transfer. In any case, the Applicant has already been relieved and

Respondent no. 6 has joined in his place. He, therefore, opposed grant of any interim relief.

4. Shri C.T Chandratre, learned advocate for Respondent no. 6 adopted the arguments of learned C.P.O.

5. Both learned Advocate Shri Patil and Shri Rajpurohit, learned C.P.O argued at length about the merits of the transfer order which need not be gone into at this stage.

6. I have perused the concerned file produced for my perusal by the learned C.P.O and it is very clear that the impugned order has been issued with the approval of the Police Establishment Board at the Commissionerate level and there is no approval of the Hon. Home Minister. Learned C.P.O relied on the interim orders of the Hon. High Court in W.P 5001/2016 dated Oct 28, 2015 staying the operation of the order of this Tribunal dated 23.3.2015 in O.A 1001/2014. This Tribunal in the aforesaid O.A has set aside the transfer order of the Police Inspector working in Mumbai Police Commissionerate on the ground that it violated provisions of the Maharashtra Police Act, as amended by Ordinance of 2014. This Tribunal in O.A no 562/2015 and other O.As, by order dated 20.11.2015 has held that after the Maharashtra Police Act was amended by Ordinance of 16.2.2015, the situation has undergone drastic change and the judgments of Hon. High Court earlier given in the context of Maharashtra Government Servants (Regulation of Transfers and Prevention of Delays in Discharge of Official Duties), Act, 2005 (the Transfer Act) holding that if a person is transferred at the same station or place will not amount to a transfer under the Transfer Act, will not apply to the transfers effected under the Maharashtra Police Act.



7. Learned C.P.O stated that in W.P 1395/2016 by order dated 9.2.2016 against the order of this Tribunal in aforesaid group of O.As, the Hon'ble High Court has directed that no coercive steps should be taken pursuant to the order of this Tribunal. However, I find that no stay to the aforesaid order has been granted by the Hon. High Court. It appears that the impugned transfer order is passed by an authority who is not at all competent to pass such orders. Learned Advocate Shri Patil stated that the applicant is retiring on 31.78.2016 and if interim relief is not granted to him, the very purpose of filing this O.A will be defeated and the Applicant will not get any relief even if he finally succeeds in the O.A.

8. Considering the peculiar facts of this O.A, interim relief of staying the transfer order dated 6.2.2016 and restoring status quo ante is granted. The Respondents will ensure that the Applicant is posted back as A.C.P, Mahim Division within a period of one week.

9. Issue notice before admission made returnable on 23.3.2016.

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

11. 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.



12. 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.

13. 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.

14. S.O to 23.3.2016. Hamdast.

Sd/-

**(Rajiv Agarwal)**  
**Vice-Chairman**

**Place : Mumbai**  
**Date : 24.02.2016**  
**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION NO 200 OF 2016**

**DISTRICT : NASIK**

Shri R. S Pardeshi. )...**Applicant**

**Versus**

The State of Maharashtra & others )...**Respondents**

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

Shri K.B. Bhise, learned Presenting Officer for the Respondents.

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 24.02.2016**

**ORDER**

1. Heard Shri A.V Bandiwadekar, learned advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. The Applicant who is an Executive Engineer working in Zilla Parishad, Nasik (East), is challenging the order dated 30.1.2016 posting the Respondent no. 2 in place of the Applicant. The order states that the Respondent no. 2 is being posted in the vacancy caused by the transfer of the Applicant. Learned Advocate Shri Bandiwadekar stated that no order transferring the Applicant has been issued. So far and therefore no vacancy exists to post the Respondent no. 2.





3. Learned Presenting Officer Shri Bhise placed the concerned Mantralaya file for my perusal. It is seen from perusal of file No. POG-1116/PC-7/Services-I, that a general exemption has been granted to P.W.D not to be governed by the Divisional Cadre Allotment Rules of 2015 and also no proposal for transfer of Officers from the rank of Deputy Engineer to Chief Engineer is required to be placed before the Civil Services Board. Accordingly, the proposal posting Respondent no. 2 in place of the Applicant does not have approval of the Civil Services Board and the whole proposal transferring 17 officers of the level of Executive Engineer does not include the name of the Applicant. From this, it is clear that no decision to transfer the Applicant has yet been taken. The validity of the action of the Government in exempting the P.W.D from the purview of the Civil Services Board and Divisional Allotment Cadre Rules will be examined separately, if necessary.

4. As the Applicant was posted in the present post by order dated 17.7.2014 and he has not yet completed his tenure and the matter of his mid-term and mid-tenure transfer has not been placed either before the Civil Services Board or before the Competent Authority, obviously, he cannot be transferred from the post he is occupying. As a result, the order dated 30.1.2016 posting the Respondent no. 2 in place of the Applicant cannot be implemented as it has been issued without meeting the requirement of Maharashtra Government Servants (Regulation of Transfers and Prevention of Delays in Discharge of Official Duties), Act, 2005 (the Transfer Act).

5. Interim relief as sought by the Applicant in terms of para 10(a) is granted. The Applicant will be permitted to continue in the present post till the disposal of the present Original Application.



6. Issue notice before admission made returnable on 23.3.2016.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
8. 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.
9. 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.
10. 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.
11. S.O to 23.3.2016. Learned P.O waives service of notice for Respondent no. 1. Hamdast.

Sd/-

(Rajiv Agarwal )  
Vice-Chairman



**Place : Mumbai**  
**Date : 24.02.2016**  
**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>24/2/16</u>            Coram - Hon'ble R. B. Malik            (P.B.) (M.J.)            Shri P. V. Pahl A/R for            the Applicant.            Miss. N. G. Gohad P.O. for            the Respondents.            Heard            order passed in            Tribunal Column.            S.O. to 7/3/16.            Affidavit of service            filed.</p>	<p>Date : 24.02.2016.</p> <p>M.A.No.54 of 2016 in O.A.No.31 of 2015 (D.B.)</p> <ol style="list-style-type: none"> <li>1. Heard Shri P.V. Patil, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</li> <li>2. Learned P.O. for the Respondents Ms. N.G. Gohad seeks two months time for filing affidavit-in-reply. This is a matter where the recovery of the alleged excess payment <del>has</del> is already commenced from the Applicant who is a retired Medical Officer.</li> <li>3. That being the state of affairs there is simply no question of granting a long date. The M.A. stands adjourned for reply to 7<sup>th</sup> March 2016 making it clear that if the reply is not filed on that date on that count alone the question of stay to the recovery may be considered by this Tribunal. A copy of this order be furnished to the learned P.O. She is requested to bring this order to the notice of the Respondents.</li> <li>4. S.O. to 7.03.2016.</li> </ol> <p style="text-align: right;">Sd/-  <u>24.2.16</u>            (R.B. Malik)            Member(J)</p> <p>sb</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

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<p><u>24/2/16</u>            Coram - Hon'ble R.B. Malik            (S.B) (M-T)            Shri A.S. Deshpande with            Shri V.P. Potbhare AM for            the Applicant.            Smt K.S. Gaikwad P.O.            for the Respondents.            Heard            order passed in            Tribunal column            S.O to 11/3/16  <u>e</u></p>	<p>Date : 24.02.2016.</p> <p>M.A.No.611 of 2015 In O.A.No.1087 of 2015 (D.B.)</p> <ol style="list-style-type: none"> <li>Shri A.S. Deshpande with Shri V.P. Potbhare, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</li> <li>Learned P.O. for the Respondents Smt. K.S. Gaikwad seeks an adjournment for filing affidavit-in-reply. Last chance is granted. It is specifically made clear that regardless of whether the reply is filed or not the M.A. shall move <sup>to</sup> its next stage on the next date depending upon facts and circumstances I may hear it on that date itself.</li> <li>S.O. to 11.03.2016.</li> </ol> <p style="text-align: right;">Sd/-            (R.B. Malik) 24.2.16            Member(J)</p> <p>sba</p>