IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 560 OF 2016

DISTRICT : PUNE

Ms Archana K. Bodade)...**Applicant**

Versus

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

Smt Punam Mahajan, learned advocate for the Applicant.

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

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 24.06.2016

O R D E R

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. This matter has last come up for hearing on 16.6.2016, where prayer for interim relief was heard. However, the prayer was not granted on that day and the Respondents were given the opportunity to show the material which was considered by the Police Establishment Board No. 2 while transferring the Applicant. The minutes of the meeting of the P.E.B-2 dated 24.5.2016 has been placed before me for perusal. It is seen that against the Applicant's name, in the report of the Addl. D.G.P., A.C.B, M.S., Mumbai to the D.G.P, M.S, Mumbai there is an entry " बदलीसाठी शिफारस आहे, काम असमाधानकारक " Learned C.P.O on instructions from Shri Pravin Pujare, Senior Clerk in the office of the D.G.P stated

that some other material was also placed before the P.E.B-2. However, in the absence of any mention in the minutes of the meeting, it is difficult to accept that contention.

3. Learned Advocate Mrs Mahajan has also placed on record copy of the order of this tribunal dated 1st June, 2016,s in O.A No 476/2016, wherein one Shri S.B Gidde, had challenged his transfer by the same order dated 24.5.2016. In that O.A, a letter dated 30.3.2016 from the Dy.C.P/S.P, A.C.B, Pune addressed to the D.G.P, Mumbai, has been reproduced. This letter has the name of Shri Gidde and the present Applicant also. This letter was considered by this Tribunal in para 11 of the aforesaid order. This Tribunal has held that the aforesaid letter could not have been a ground to transfer Shri Gidde. The same will apply in the case of the present Applicant also.

4. It appears that the Applicant has been transferred mid-term before completion of her tenure without any contingency mentioned in Section 22N of the Maharashtra Police Act being fulfilled. The Applicant deserves to be granted interim relief as prayed for in the O.A.

5. The transfer order dated 24.5.2016 qua the Applicant is therefore stayed. The Applicant will be allowed to work in the post where she was working before her transfer order was issued.

6. S.O 8.7.2016. Hamdast.

(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 24.06.2016
Dictation taken by : A.K. Nair.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 505 OF 2016

DISTRICT : MUMBAI

Shri R.B Badgujar)...**Applicant**

Versus

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

Smt Punam Mahajan, learned advocate for the Applicant.
Shri K.B. Bhise, learned Presenting Officer for the Respondents.

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 24.06.2016

O R D E R

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. This Tribunal by order dated 9.6.2016 has directed the Respondents to inform this Tribunal whether there exist any standing directions or practice in the Police Department to transfer a superior officer if a subordinate officer is trapped under the provisions of Prevention of Corruption Act. The affidavit was to be filed on 16.6.2016. However, no affidavit is forthcoming from the Respondents.

3. I was inclined to impose costs on the Respondent no. 2, however, on the assurance of the learned P.O that the reply will be filed on Tuesday, i.e. 28.6.2016, that action is kept in abeyance.

4. Learned Advocate Mrs Mahajan has also placed before me certain information wherein she has given some details of the traps laid down at various Police Stations, wherein according to her no action was taken against the Incharge Police Officers of the Police Stations. On 18.3.2016, a person working in the office of Superintendent of Police, Palghar was trapped, but no action was taken against anyone, including the S.P. Copy of the same is handed over to the learned P.O and the affidavit to be filed by the Respondents may cover this aspect also.

5. It is clarified that if the affidavit is not filed covering these two issues by the next date, the prayer for grant of interim relief will be considered.

6. S.O to 28.6.2016. The matter be shown on Board in 'Urgent Admission caption'. Hamdast.

(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 24.06.2016
Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2016\1st June 2016\O.A 505.16 Transfer order challenged SB.0616.doc

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 610 OF 2016

DISTRICT : MUMBAI

Mrs Anita N. Kolhe)...**Applicant**

Versus

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

Mrs Kalpalata Patil, learned advocate for the Applicant.

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

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 24.06.2016

O R D E R

1. Heard Mrs Kalpalata Patil, learned advocate for the Applicant

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

2. This Original Application has been filed by the Applicant challenging the order of reversion dated 1.7.2015 passed by the Respondent no. 2 and order dated 29.5.2016 passed by Respondent no. 1 confirming the aforesaid order in appeal. The Applicant has been reverted from the post of Panchkarma Vaidya to the post of Hostel Superintendent.

3. Learned Advocate Mrs Patil strongly pressed for interim relief of staying both the orders stating that the Applicant has been working as Panchakarma Vaidya or Resident Medical Officer since 1997.

4. Learned C.P.O argued that the Applicant has been reverted after holding a full-fledged departmental enquiry wherein two charges viz. that of her appointment as Medical Officer was not in consonance with the rules and also that she has obtained undue benefits available to S.C category, to which she was not entitled, have been proved. The appeal has also been duly considered. He stated that any interim relief granted at this stage would almost amount to granting final relief.

5. I do agree with the learned C.P.O. A full-fledged Deparmental Enquiry has been held against the Applicant and order in appeal has been confirmed. Considering the scope of judicial review in such cases, it is difficult to accept the prayer of the Applicant for grant of interim relief.

6. Issue notice returnable on 22.7.2016.

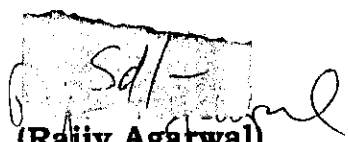
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

8. Applicant is authorized and directed to serve on 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.

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 22.7.2016. Learned P.O waives service of notice.



(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 24.06.2016
Dictation taken by : A.K. Nair.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 611 OF 2016

DISTRICT : THANT

Dr Y.M Kokadwar)...**Applicant**

Versus

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

Ms Swati Manchekar, learned advocate for the Applicant.

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

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 24.06.2016

O R D E R

1. Heard Ms Swati Manchekar, learned advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate Ms Manchekar stated that the impugned order dated 4.6.2016 is highly prejudicial to the Applicant as it makes serious allegations about his character. It is stated that his integrity is doubtful. There is no material on record to support this allegation about the integrity of the Applicant and the tone and tenor of the order makes it very clear that it is stigmatic order. She very strongly prayed that the transfer order may be stayed. She

also stated that though the order is dated 4.6.2016, it has actually been served on the Applicant on 21.6.2016.

3. Learned Presenting Officer Mrs Gaikwad states that the Applicant has been transferred after following due process of law. She undertakes to produce the relevant file for the perusal of the Tribunal on 27.6.2016.

4. The Applicant has already been relieved. However, considering the circumstances of the case that earlier in the month of April 2016 the Prison authorities have tried to transfer the Applicant without authority of law, and that order was stayed and now as alleged by the Applicant some old case in which he was fully exonerated is being relied upon to dub him as a person of doubtful integrity, the issue of interim relief is kept open and it will be decided after perusal of the concerned file on Monday, i.e.27.6.2016.

5. S.O to 27.6.2016. This matter be kept under the caption 'Urgent Admission'

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 24.06.2016
Dictation taken by : A.K. Nair.

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(G.C.P.) J 2260 (A) (50,000—2-2015)

(Spl - MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

O.A.418/2016

Dr. S.S. Shinde ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri S.S. Dere, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

This is a matter pertaining to the transfer sought by the Medical Officer from Sindhudurg to Nagpur. Hearing the rival submissions, I think a practical via media should be sought to be secured rather than ~~extract~~ findings. The Respondent No.2 has addressed a communication of Respondent No.1 yesterday. The Respondent No.1 is hereby directed to take a decision thereon within a period of two weeks from today and send a copy thereof to the Office of the learned C.P.O. so as to be presented before this Bench on the next date.

I trust that every aspect including the need to unite a couple with a small baby will receive its due consideration from one of the seniormost Officer in the State that the Principal Secretary of Respondent No.1 happens to be. Adjourned to 11th July, 2016. A copy of the said communication is retained on record. Hamdast.

Sd/-

(R.B. Malik) 24.6.16
Member (J)
24.06.2016

(skw)

DATE : 24/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) A J
ADVOCATE :
Shri S.S. Dere
Advocate for the Applicant
Shri N.G. Gohad
C.P.O. / P.O. for the Respondent/s

Adj. To 11/7/16 Hamdast.

IPTO

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

.... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

.... Respondent/s

(Presenting Officer.....)

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

DATE : 24/6/16

Coram : Shri R.B. Malik (Chairman)
R.B. Malik (Member) A J

V.K. Jagdale

A.K. Rajpurohit

Admit.

Adj. To.... Liberty to mention granted.

O.A.627/2015

Shri S.M. Shaikh ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Smt. V.K. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Rejoinder taken on record. Admit. Liberty to mention granted.

Sd/-

(R.B. Malik)
Member (J)
24.06.2016

(skw)

2

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

24.06.2016

O.A 605/2016

Shri A.A Tambe ... Applicants

V/s.

The State of Maharashtra & Ors... Respondents

1. Heard G.A Bandiwadekar, learned advocate for the Applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 22.7.2016.

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 22.7.2016. Learned P.O waives service of notice.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

DATE : 24/6/16

CORAM :

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

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

APPEARANCE :

~~Shri/Smt.~~ : G. A. Bandiwadekar

Advocate for the Applicant

~~Shri/Smt.~~ : Ms. N. G. Gohad

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

~~Adj. To~~ : S.O. to 22/7/16.

Akn.

2

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

24.06.2016

O.A 609/2016

Shri P.R Acharekar ... Applicant

V/s.

The State of Maharashtra & Ors ... Respondents

1. Heard M.R Patil, learned advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 8.7.2016.

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 8.7.2016. Learned P.O waives service of notice.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE: 24/6/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ M. R. Patil

Advocate for the Applicant

~~Shri/Smt.~~ K. S. Gaikwad

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

~~Adj To~~ S.O. to 8/7/16

2

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

24.06.2016

O.A 606/2016

Shri A.R Kharat ... Applicant

V/s.

The State of Maharashtra & Ors... Respondents

1. Heard G.A Bandiwadekar, learned advocate for the Applicant and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 22.7.2016.

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 22.7.2016. Learned P.O waives service of notice.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE: 24/6/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
Shri/~~Smt.~~ G.A. Bandiwadekar
Advocate for the Applicant
Shri/~~Smt.~~ N.K. Rajpurohit
~~C.P.O.~~ P.O. for the Respondents

~~Adj. To~~ S.O. to 22/7/16

2

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

24.06.2016

O.A 608/2016

Shri S.B. Jadhav ... Applicant

V/s.

The State of Maharashtra & Ors ... Respondents

1. Heard S.S Dere, learned advocate for the Applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.

2. Learned Advocate Shri Dere stated that the Applicant is retiring on 31.5.2017, i.e. less than one year now. He has submitted representation dated 27.5.2016 stating that he is retiring within a year and because of his family difficulties he may be considered for transfer to any post in Pune Rural or Pune City. He prayed that Respondents may be directed to consider the representation of the Applicant.

3. The Respondents are directed to take suitable decision on the representation of the Applicant dated 27.5.2016 within a period of two weeks.

4. Issue notice returnable on 8.7.2016.

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 8.7.2016. Learned P.O waives service of notice.

Sd/-
(Rajiv Agarwal)
Vice Chairman

Akn.

DATE : 24/6/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
~~Shri/Smt.~~ S.S. Dere
Advocate for the Applicant
~~Shri/Smt.~~ Ms. N.G Gohad
C.P.O. for the Respondents
~~Adj. to~~ S.O. to 8/7/16.

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

24.06.2016

O.A nos 612 & 613/2016

Shri S.B Landge & Ors ... Applicants

V/s.

The State of Maharashtra & Ors ... Respondents

1. Heard Mrs Punam Mahajan, learned advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. In both these Original AppOlicaitons, the case appear to be similar to O.A no 519/2016 etc in which interim relief was granted on 20.6.2016. However, considering the fact that the Applicants have already been relieved and considerable period have already lapsed, the request for interim relief is not considered at this stage.

3. However, it is expected that the Respondents will file affidavit in reply at an early date so that the matter can be decided finally.

4. Issue notice returnable on 8.7.2016.

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 8.7.2016. If the reply is not filed within the time given, the Applicants are at liberty to revive the prayer for interim relief.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE: 24/6/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri~~ Punam Mahajan
Advocate for the Applicant
~~Shri~~ K. B. Bhise
~~C.P.O.~~ P.O. for the Respondents
~~Adj. To~~ S.O. to 8/7/16.

2

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

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 **24.06.2015**

O.A 570/2016

Shri P.K Pawar ... Applicant

V/s.

The State of Maharashtra & Ors ... Respondents

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

Learned P.O placed copy of letter dated 17.6.2016 from the Respondent no. 2 addressed to Respondent no. 3 to relieve the Respondent no. 4 to enable him to resume charge as Sectional Engineer, Pali.

The Respondent no. 3 should remain present on the next date to explain why the order of superior authorities has not been complied despite reminder.

Hamdast.

S.O to 1.7.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE : 24/6/16

CORAM :

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

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

APPEARANCE :

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

Shri/~~Smt.~~ A.J. Chougule

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

~~Adj. to~~ S.O. to 1/7/16.

Hamdast.

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

M.A.111/2016 in O.A.541/2015

Shri Y.C. Korade ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri P.G. Kayande, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

The application for amendment comes up for consideration. At this stage, there is no question of making any observation about merit of the matter either in so far as the MA is concerned or the OA. However, the perusal of Annexure 1 would show that the Officers are sought to be impleaded in their names and allegations apparently have been made which the Applicant seeks to be incorporated in the OA. In the context of the facts, it will be necessary to serve the proposed Respondents 2 to 7 personally, because if they have got any submission to make, they will be in a position to do so. The Applicant do serve them personally with the MA. The MA stands adjourned to 22nd July, 2016.

Sd/-
(R.B. Malik)
Member (J)
24.06.2016

Sd/-
(Rajiv Agarwal)
Vice-Chairman
24.06.2016

(skw)

DATE: 24/6/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE:
~~Shri/Smt.~~ P.G. Kayande
Advocate for the Applicant
~~Shri/Smt.~~ K.S. Gaikwad
~~C.P.O.~~/P.O. for the Respondents
Adj. To 22/7/16

[P.T.O.

2

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

24.06.2016

O.A 599/2016

Shri Sanjay G. Raut ... Applicants

V/s.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer holding for Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Smt Mahajan stated that the applicant is seeking interim relief that he may be considered for promotion along with his juniors as he is only undergoing minor punishment and in such circumstances can be promoted and asked to undergo punishment in the promoted post.

3. Learned P.O states that he will seek instructions in the matter.

4. Issue notice returnable on 30.6.2016.

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 30.6.2016. Learned P.O waives service of notice.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE : 24/6/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
~~Shri~~ Smt : Pramam Mahajan
Advocate for the Applicant
~~Shri~~ Smt : K. B. Bhise
~~C.P.O.~~ P.O. for the Respondents
~~Adj. To~~ : S.O. to 30/6/16.

2

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

24.06.2016

O.A 600/2016

Shri Dattatraya F. Gaikwad ... Applicants
V/s.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer holding for Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Smt Mahajan stated that the applicant is seeking interim relief that he may be considered for promotion along with his juniors as he is only undergoing minor punishment and in such circumstances can be promoted and asked to undergo punishment in the promoted post.

3. Learned P.O states that he will seek instructions in the matter.

4. Issue notice returnable on 30.6.2016.

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 30.6.2016. Learned P.O waives service of notice.

Sd/-
(Rajiv Agarwal)
Vice-Chairman

Akn.

DATE: 24/6/16.
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri P. R. MALIK (Member)~~
APPEARANCE:
~~Shri~~ Smt. Punam Mahajan
Advocate for the Applicant
Shri ~~N.K.~~ K.B. Bhise
C.P.O./P.O. for the Respondents
~~Adj. To~~ S.O. to 30/6/16.

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.412/2016

Smt. S.S. Kamble ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard the Applicant in person and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

See my order dated 22nd June, 2016. I have heard both the sides. It will be most appropriate if a mutually acceptable via media is found so that any third party does not get affected. I say that because it is possible that if the dead clock continues and the matter is heard finally, the state of affairs over the period of last one year may have to be considered. Regard being had to all these facts and circumstances, I find that the best course of action would be either the Director himself or Deputy Director, Nursing remained present personally along with the vacancy position and the necessary record so that the whole thing can be worked out.

Adjourned to 28th June, 2016. Steno-copy hereof be furnished to both the sides during the course of the day.

Sd/-
(R.B. Malik) 24.6.16
Member (J)
24.06.2016

(skw)

DATE: 24/6/16
CORAM:
~~(Chairman)~~
R.B. Malik (Member) A
Appl. in person present.
H.K. Rajpurohit
A.G.P. 28/6/16 + Steno Copy allowed.