#### Tribunal's orders O.A.509/2018

Shri P.S. Kumbhar Vs. ... Applicant

The State of Mah. & ors.

... Respondents

- 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. The learned Advocate for the Applicant seeks permission to amend the application, so as to implead Respondent No.3 viz. Executive Engineer, Kolhapur Irrigation Division, South, Sinchan Bhavan, Tarabai Park, Kolhapur being necessary party.
- 3. The learned P.O. has no objection for impleading Respondent No.3.
- 4. In view of above, leave to amend granted and Respondent No.3 be joined.
- 5. Issue notice to Respondent No.3 returnable on 30.10.2018.
- 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. S.O. to 30<sup>th</sup> October, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

# The State of Maharashtra and others

(Parametria a Office		Respondent/s
(Presenting Officer	······)	:
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orc	lers
	<u>24.10.2018</u>	
	O.A No. 300/2018	
	Shri R.B Vaishnav Vs.	Applicant
	The State of Maharashtra & Ors	Respondents
DATE: 24/10/18	1. Heard Shri A.V Bandiwad	
CORAM: Hon'ble Justice Shri A. H. Joshi (Chairmen) Hon'ble Shri P. N. Dixit Member (A)	for the applicant and Ms Archar Swati Manchekar, learned C.P.O fo	_
Shrijspie: 0 N. Daulipolelou	2. Learned P.O prays for four reply.	weeks' time for filing
Advocate for the Applicant	тергу.	
Sprilsmt Ordane B. 10-for a unclesse C.F. P.O. for the Respondents	3. By way of last chance granted.	three weeks' time is
Adj./ S.O. to 20111 18		
By way of Last Chance	4. S.O to 20.11.2018.	Q
e e	2 ^	
	Sd/- (P.N Dixit) Member (A)	Sd/- (A.H Joshi, J.) Chairman
		•

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate	•••••	)
	υ	ersus
The State	of Ma	harashtra and others
(Presenting Office)		Respondent/s
(Presenting Officer	**********	)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	24.	10.2018 M.A 516/2018 in O.A 880/2018
DATE: 24 10 18:  COR.  Hende ausled Strick H. Joshi (Chairman)  How Approximation of the Paparecent  Action of the Paparecent	The  1. for the Records the Re	Namdev P. Shendkar & Ors Applicants Vs. State of Maharashtra & Ors Respondents  Heard Shri A.V Bandiwadekar, learned advocate he applicants and Ms Archana B.K, learned P.O for Respondents.
Months Respondents	2. 3.	This is an application for leave to sue jointly.  Considering the cause of action pursued by the

M.A is allowed.

if not already paid.

Applicants is common, concurrent and usual, the cases

allowed subject to Applicants paying requisite court fees,

In this view of the matter, the present M.A is

are not required to be decided separately.

Original Application No.	of 20 District
	Applicant/
(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
	24.10.2018
	O.A No. 198/2017
	Shri Bhagvan B. Thakur Applicant Vs.
DATE: 24/101/8-	The State of Maharashtra & Ors Respondents
Horizada de desti (Chairman)	applicant and Smt Kranti S. Gaikwad, learned P.O for
Stee on D Longe	the Respondents.
Act and for top Apparat	2. Learned P.O Smt Kranti S. Gaikwad has tendered
Shrison Les Guiteord .  C. P.C. for the Respondents	own affidavit and has tendered apology and undertaking.
Art / S.O. L. S.A. S.O.	3. Accepting the apology and undertaking, show
Add/8.0. to Decepting the	cause of costs is dropped.
prologrand undersative	
disso ause of core	
is dropped.	Sd/- (P.N Dixit) (A.H Joshi, 1)
ا	Member (A) Chairman

### ORIGINAL APPLICATION NO 880 OF 2018

**DISTRICT: PUNE** 

Shri Namdev P. Shendkar & Others

)...Applicants

#### Versus

The State of Maharashtra

& Others

)...Respondents

Shri A.V Bandiwadekar, learned advocate for the Applicants. Ms Archana B.K, learned Presenting Officer for the Respondents.

CORAM

Shri Justice A.H Joshi (Chairman)

DATE

24.10.2018

#### ORDER

- 1. Heard Shri A.V Bandiwadekar, learned advocate for the applicants and Ms Archana B.K, learned Presenting Officer for the Respondents
- 2. Admit.
- 3. Issue notice returnable on 16.4.2019.
- 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 5. 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.
- 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. Applicants are directed to file affidavit of compliance and notice.

- In case notice is not collected within 7 days or service report on affidavit 8. is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
- Learned advocate for the applicants prays for leave to amend for adding prayer.
- 10. Leave as prayed is granted.
- 11. Amendment is carried out forthwith. Learned P.O is called to respond.
- 12. Hearing of the case was adjourned. Learned P.O has taken instructions.
- Learned P.O has tendered copy of letter dated 24.10.2018 received from Desk Officer of the Government.
- 14. Para 3 of letter reads as follows:-
  - "3. सदर सुधारणा ही ''महाराष्ट्र शिक्षण सेवा (शिक्षण सक्षमीकरण शाखा) यामधील प्राचार्य (गट-अ), वरिष्ठ अधिव्याख्याता (गट-अ) व अधिव्याख्याता (गट-ब) या विभागीय परीक्षा नियम, २०१८'' नियमांमधील तरतुदीस अनुसरून योज्य असून, सर्व अर्जदार हे शिक्षण सक्षमीकरण, शाखेमध्ये (पूर्वीची शिक्षक प्रशिक्षण शाखा) २ वर्षांचा परिविक्षाधीन कालावधी पूर्ण केलेले असल्यामुळे, मूळ अर्ज क्.८८०/२०१८ मधील सर्व अर्जदारांना नियम ४(१) (अ) लागू होत असून, नियम ४(१) (ब) लागू होत नाही. अर्जदारांनी मूळ अर्जात केलेली सुधारणा परिच्छेद १० (C) मधील विधान नियमांनुसार योग्य असून, मी मान्य करण्यात येत आहे.''

(Quoted from letter dated 24.10.2018)

- Considering para 3 of letter dated 24.10.2018, purpose of urgent interim relief is accomplished.
- In so far as other prayers are concerned those shall be considered in due 16. course.
- 17. No other interim relief is required. Other interim reliefs are rejected.

18. S.O to 16.4.2019.

Place: Mumbai Date: 24.10.2018

Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2018\Oct 2018\O.A 880.18, Int order, DB, Chairman, 10.18.doc

31 MACA/C.A. No.

of 20

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collision Application No.

of 20

# FARAD CONTINUATION SHEET NO.

Other Notes, Office Memoranda of Coram, Approximee, Telbunal's orders or directions and Registrar's orders

Tribunal's orders

Date: 24.10.2018

O. A. No.670 of 2018

V. T. Chinchwadkar & Ors

....Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri L. S. Deshmukh, the learned Advocate for the Applicants and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.
- 2. Learned P.O. proposes to file reply with response to the communication dated 25.09.2018 withdrawing the powers of the Dean to give promotion to the X-ray Technicians. He seeks two weeks time for doing the same.
- 3. S.O. 05.11.2018.

Sd/-

(P. N. DIXIT)
MEMBER (A)

Adjusted to the Applicant

Shri/Stat: A-J. Changue
C.F.O.R.O. for the Respondent/s

Adj./S.O. to 5/11/2018.

DATE : 24/10/201

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VS.

#### Tribunal's orders

#### O.A.936/2018

Smt. V.K. Valvi

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Issue notice returnable on 05.11.2018.
- 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 05<sup>th</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24,10,2018

Horble Shriph DIXIT (Momber) A

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

of 20

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Original Application No.

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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

#### O.A.202/2018

Shri S.R.Suryawanshi

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.
- The learned P.O. has tendered the order 2. passed by Government dated 23<sup>rd</sup> October, 2018 whereby the suspension of the Applicant has been revoked. The same is taken on record and marked as 'X' for the purpose of identification.
- As such, in view of this order, the Applicant is going to be reinstated in service.
- The learned P.O. has made a statement that the Applicant will be reinstated in service upto 31st October, 2018. This statement is accepted.
- In view of above, the learned Advocate for the Applicant seeks permission to withdraw the O.A.
- Hence, permission is granted to withdraw the 6. O.A.
- The O.A. stands disposed of as withdrawn with no order as to costs. Hamdast allowed.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

Can ble Chri P.N. DIXIT (Member) Advocate for the Applicant

#### Tribunal's orders

#### O.A.750/2018

Shri P.U. Bisen

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.
- 2. Issue notice returnable on 29.11.2018.
- 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 29<sup>th</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

DATE 24/0/18

CORAM
Footble Shit PN DIXIT (Member) A

Shis A.P. Keerhel Car
(Member C)

APPEARANCE: Chandrate

According for the Applicant

Correction for the Applicant

Correction for the Respondent/s

#### Tribunal's orders

#### O.A.889/2018

Dr. A.W. Vaidya

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.
- 2. The learned P.O. seeks time to file Affidavit-in-reply. Time granted. It is hoped that the Affidavit-in-reply will be filed positively before next date.
- 3. Issue notice returnable on 01.11.2018.
- 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 1<sup>st</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24,10,2018

DATE 24/10/18

CORAM

From blo Shri P.N. DIXIT (Member) A

Sless A. P. Keerhelker, Monthor CD

APPEARANCE:

Similant M.D. Lonker.

Advorage for the Applicant

SPHS-A: A: B: KOLO A.

**k**e perf

#### Tribunal's orders

#### O.A.899/2018

Shri D.K. Pawar

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- Heard Shri R.M. Kolge, learned Advocate for 1. the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.
- Issue notice returnable on 29,11,2018. 2.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.
- The service may be done by Hand Delivery / Speed Post / Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- In case, notice is not collected within three 7. 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.
- S.O. to 29th November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24,10,2018

CORAM Honein Shri P.W. DIXIT (Momber) Sky A.P. Keisle Astronate for the Applicant \_C.P.C.M.O. for the Respondences

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

of 20

IN

Original Application No.

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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

#### O.A.963/2017

Shri N.B. Wagh

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
- 2. Affidavit-in-reply has already been filed on behalf of Respondents. The learned Advocate for the Applicant seeks time to file Rejoinder. Three weeks' time is granted to file Rejoinder.
- S.O. to 5<sup>th</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

(skw)

DATE <u>24/10/18</u>
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FACE PHI PN. DIXIT (Momber)
Shei A.D. Keenhe Koon

Sher. A.D. Keerhe Kan, Nambor

A Bandiceradoko

Art counts for the Applicant

Specific N.G. Gohac CHEO, for the Respondent/s

Adj. 5.0 to 5 11 18.

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

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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

#### O.A.861/2018

Shri R.V. Trivedi

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.
- 2. The learned P.O. seeks time to file Affidavitin-reply. Time is granted as most last chance.
- S.O. to 2<sup>nd</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

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DATE 24/10/18

ska, A. P. Keeshakas Mambers

APPRASANCE:

Advacate for the Applicant

A. B. Hololgi....

Ad 13.0. 6 2 111 18.

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Original Application No.

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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

### O.A.1003/2017

Shri R.S. Hingmire

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Applicant and his Advocate absent. Heard 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 28<sup>th</sup> November, 2018.
- 3. S.O. to 28<sup>th</sup> November, 2018.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

(skw)

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Applicant and Applicant and Applicant

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

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Original Application No.

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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

## R.A. 22/2017 in O.A.235/2017

Shri V.V. Chavan

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- Heard Shri V.V. Tare-Patil, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned Presenting Officer for the Respondents.
- The learned Advocate for the Applicant has filed pursis to withdraw this Review Application, as he intends to file fresh O.A. The same is taken on record.
- The learned P.O. has no objection for withdrawal of R.A.
- In view of above, the Applicant is allowed to withdraw the R.A.No.22/2017 with liberty to file fresh O.A. as may be permissible in law.

Sd/-

(A.P. Kurhekar) Member-J 24.10.2018

(skw)

DATE 24/10/18 CORAM For ble Shri P.N. DIXIT (Momber).

Advisorie for the Applicant

#### Tribunal's orders

#### O.A.906/2018

Smt. A.A. Borude

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Shri Y.K. Choudhari, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Issue notice returnable on 29.11.2018.
- 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 29<sup>th</sup> November, 2018.

Sd/-

(A'P. Kurhekar) Member-J 24.10.2018

DATE 24/10/18

CORAM

Fortile Shri P.N. DIXIT (Member) A

Sliv. A. P. Levente Cor.

Members of Members

APFFARANCE:

Chocadhan

Advocate to the Apptioant

Sariage A. T. Chocadial

Checks. for the Respondents

Adj. 8.0. to 29/11/18.

(skw

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

of 20

IN

Original Application No.

of 20

# FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

### M.A.563/2018 in O.A.766/2017

Shri B.D. Kadam

... Applicant

Vs.

The State of Mah. & ors.

... Respondents

- 1. Heard Mrs. Preeti Walimbe, learned Advocate for the Applicant and Mrs. K.S. Gaikwad holding for Mrs. A.B. Kololgi, learned Presenting Officer for the Respondents.
- 2. For the reasons mentioned in the M.A, the M.A.No.563/2018 is allowed.

Sd/-

(A.). Kurhekar)

Member-J 24.10.2018

(skw)

24/10/18

Skir A P. Keerhekor, Mcmbery

Preedi Walimbe

K.S. G. cikewad

M.A. is allowed