

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

Tribunal's orders

Date : 25.02.2016.

C.A.No.11 of 2016 in O.A.No.1053 of 2013 (D.B.)

1. Heard Ms. L. Patne, learned Counsel for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. This is a Contempt Application preferred by the Applicant for alleged non-compliance of the order dated 20.02.2015 passed by this Tribunal in O.A.No.1053 of 2013.

3. In the said context, Shri K.B. Bhise, learned P.O., on instructions from Shri Upasani, Law Officer, pointed out Respondent No.2 herein has sent a communication dated 19.12.2015 to the Respondent No.1, but there is no further action on the part of Respondent No.1. Hence, Respondent No.1 to take suitable action in that regard expeditiously.

4. Issue notice to the Respondents No.1, 2 and 3 returnable after four weeks.

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

6. 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.

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 after four weeks i.e. on 31.03.2016.

Sd/-

(Shrihari P. Davare, J.)  
Vice-Chairman

prk

25/2/16

Coram - Hon' Justice  
Shrihari P. Davare  
(H.C.J.)

smr Lata Patne Adv.  
for the Applicant.

Shri K.B. Bhise P.O.  
for the Respondents.

Head  
order passed in  
Tribunal Column.

S.O. 31/3/16.

**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>25/2/16</u>  Coram-Hon'ble Shrihoodi  P. DAVARE (Jc-J)  Shri K.R. Jagdale Adv.  for the applicant  Shri K.B. Bhise P.O.  for the respondents:  heard  order passed in  Tribunal column.  S.O. to 10/3/16.  Hamdast.</p>	<p>Date : 25.02.2016.</p> <p>O.A.No.267 of 2013</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</li> <li>2. Shri K.B. Bhise, the learned P.O. for the Respondents seeks as adjournment to file affidavit in sur-rejoinder.</li> <li>3. The O.A. is old and events are older. This O.A. is already part heard. It is made clear that if the affidavit in sur-rejoinder is filed on the next date it will be taken on record but no adjournment will be given for the same and the arguments will be heard till such time as they conclude.</li> <li>4. S.O. to 10.03.2016. Hamdast.</li> </ol> <p style="text-align: right;">Sd/-  (R.B. Malik) 201 - 116  Member(J)</p> <p>gba</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.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>25/2/16</u>  Coram - Hrd Justice Shri. K. B. Bhise  P. Dave (N/C-D)</p> <p>Smt Punam Mahajan Adv for  the Applicant  Shri K. B. Bhise P.O. for  the Respondents -</p> <p>Heard  order passed in  Tribunal Column  5.02.16.  Hamdast</p> <p style="text-align: right;">2</p>	<p>Date : 25.02.2016.</p> <p>O.A.No.205 of 2016</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</li> <li>2. From <sup>a</sup>the certain file noting which I have perused at the request of learned P.O. for the Respondents it appears that certain steps may be taken by the Respondent No.3 to try and take care of the case of the Applicant.</li> <li>3. After some debate at the bar I direct that the said Respondent may say so on an affidavit to be filed on the next date. As of today I make no further observation. Matter be shown in the same caption.</li> <li>4. S.O. to 1.03.2016. Hamdast.</li> </ol> <p style="text-align: right;">Sd/-  (R.B. Malik)  Member(J) 25/02/16</p> <p>sba</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.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>25/2/16</u>  Coram - Hon'ble Shrihari P. Davare (V/C-J) (D.B.)  smt Lata Patne Adv for the Applicant.  Shri K.B. Bhise P.O for the Respondents.  Heard  order passed by Tribunal on 12/4/16.</p> <p style="text-align: right;"><u>2</u></p>	<p>Date : 25.02.2016.</p> <p>O.A.No.774 of 2013 with M.A.No.426 of 2015 with O.A.No.621 of 2015 (D.B.)</p> <ol style="list-style-type: none"> <li>1. Heard Ms. L. Patne, learned Counsel for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</li> <li>2. Shri K.B. Bhise, learned P.O. filed reply to the Additional affidavit-in-reply on behalf of Respondent No.2 and the same is taken on record and copy thereof has been served upon the learned Counsel for the Applicant.</li> <li>3. Ms. L. Patne, learned Counsel for the Applicant submitted that she has personal difficulty and requested for next date in April, 2016.</li> <li>4. Accordingly, S.O. to 12.04.2016.</li> </ol> <p style="text-align: right;">Sd/-  (Shrihari P. Davare, J.)  Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram,  
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Tribunal's orders

**25.02.2016**

**O.A No 215/2015**

Heard Shri Vijay Thakur with Shri J.N. Kamble, learned advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

Shri Thakur's arguments were part heard. It appears that even in the existing O.A the affidavit in reply has been filed by the Respondent no. 2 purportedly on behalf of both the Respondents. However, the facts of the O.A are such where a specific affidavit from State of Maharashtra, Respondent no. 1 would be of great assistance to this Tribunal inter alia because the issue involves the payment of N.P.A which naturally has got financial implications. It is, therefore, directed that a proper affidavit in reply be filed specifically on behalf of Respondent no. 1 that too of a responsible officer who deals with the matter such as this one.

In similar line, we find that the Principal Secretary, Finance Department and Principal Secretary, Public Health Department have not been impleaded as parties and it appears that it will be better to have them also as party-Respondent and they may also file the affidavit for obvious reasons. The Applicants are directed to implead Principal Secretary, Finance Department and Principal Secretary, P.H.Dept. by an amendment to be effected within one week along with consequential amendment, if any. A consolidated copy of the O.A be filed and copy be furnished to the learned P.O and the newly added Respondents in accordance with the rules.

O.A is now adjourned for affidavit in reply of Principal Secretary, Medical Education and Drugs and newly added Respondents within four weeks.

S.O to 23.3.2016.

Sd/-

(R.B. Malik)  
Member (J)

Akn

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

25/2/16

CORAM:

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

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

APPEARANCE:

Shri Vijay Thakur  
with J.N. Kamble  
Advocate for the Applicant

Shri K.B. Bhise

Presenting Officer for the Respondents  
Legal Submission filed  
by Adv. of Appli.  
Adj. S.O. to 23/3/16

Part heard.

PH

**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>DATE: 25/2/16</u></p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>A.V. Bandiwadekar</u> Advocate for the Applicant Shri <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondents no. 6, 7 &amp; 8. <u>A.S. Deshpande</u> No. 9 &amp; 10. <u>K.R. Jagdale</u> No. 9 &amp; 10. S.O. to 9/3/16. ce:th [O.A. 735/15]</p>	<p><u>25.02.2016</u></p> <p><u>M.A 96/2014 in O.A No 735/2015</u></p> <p>Heard Shri A.V Bandiwadekar, learned advocate for the applicants (Ori Respondents 3 &amp; 9 in O.A 735/2015), Mrs K.S Gaikwad, learned P.O for Respondents, learned Presenting Officer for the Respondents no 6,7 &amp; 8, Shri A.J Deshpande learned advocate for Respondents no 1 to 5, Shri K.R Jagdale, learned advocate for Respondents no 9 &amp; 10</p> <p>This Misc Application has been filed in O.A 735/2015, which is kept for final hearing on 11.3.2016. However, by consent of all the parties, the matter is preponed and kept for final hearing on 9.3.2016.</p> <p>Sd/- (R.B. Malik) Member (J)</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p> <p>FH <i>[Signature]</i></p>

Office Notes, Office Memoranda of Coram,  
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**25.02.2016**

**O.A No 192/2016**

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

2. On instructions from Shri Ashok Dayamwar, Section Officer, Home Department, Mantralaya, Mumbai, learned P.O states that all the appeals filed by the Applicant will be decided within a period of two months from the date of this order.

3. Issue notice before admission made returnable on 23.3.2016.

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

5. 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.

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. S.O to 23.3.2016.

**DATE: 25/2/16**

**CORAM:**

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

Hon'ble Shri R. B. MALIK (Member) ✓

**APPEARANCE:**

~~Shri/Smt. S. P. Manchekar~~

Advocate for the Applicant

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

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

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

Sd/-

(R.B. Malik)  
Member (J)

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

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

**25.02.2016**

**C.A 14/2016 in O.A No 493/2012**

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
2. Issue notice before admission made 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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O to 23.3.2016.

RE: 25/2/16

**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.B. Bhise

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

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

Sd/-

(R.B. Malik)  
Member (J)

Akn

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

*[Signature]*



Office Notes, Office Memoranda of Coram,  
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Tribunal's orders

**25.02.2016**

**C.A 15/2016 in O.A No 892/2014**

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
2. Issue notice before admission made 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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O to 23.3.2016.

Sd/-

(R.B. Malik)  
Member (J)

Akn

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

DATE: 25/2/16

CORAM:

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

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

APPEARANCE:

Shri A.V. Bandiwadekar

Advocate for the Applicant

Shri K.B. Bhise

Presenting Officer for the Respondents

A.S.O. to 23/3/16.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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: 25/2/16</u></p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. A.V. Bandiwadkar Advocate for the Applicant Shri/Smt. K.B. Bhise C.P.O./P.O. for the Respondents No. 2 to 4. M.D. Lonkar Adv. No. 1. Adv. To: S.O. to 3/3/16.</p> <p align="right"><i>[Signature]</i></p>	<p><u>25.02.2016</u></p> <p><u>M.A 97/2016 in R.A No 31/2015 in O.A 270/2012</u></p> <p>1. Heard Shri A.V Bandiwadkar, learned advocate for the applicant, Shri M.D Lonkar, learned advocate for Respondent no. 1 and Shri K.B. Bhise, learned Presenting Officer for the Respondents 2 to 4.</p> <p>2. Issue notice before admission made returnable on 3.3.2016.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 3.3.2016.</p> <p align="center">/</p> <p>Sd/- (R.B. Malik) Member (J)</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p>