IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

ORIGINAL APPLICATION NO.892 OF 2017

DISTRICT : N'MUMBAI

Shri Dattatraya G. Basutkar.)...**Applicant**

Versus

1. The Chief Secretary, State of Maharashtra & 5 Ors.)
)...**Respondents**

Mrs. Punam Mahajan, Advocate for Applicant.

Ms. N.G. Gohad, Presenting Officer for Respondents.

P.C. : R.B. MALIK (VICE-CHAIRMAN)

DATE : 25.09.2017

O R D E R

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer (PO) for the Respondents.

2. The learned PO is being instructed by Smt. P.D. Gulde, Office Superintendent, Govt. Grant Medical College, Mumbai.

3. The Applicant seeks interim relief stung by the impugned order whereby the Accountant General has directed downward revision of his pension and recovery of the supposedly excess payment made. I have perused the said order at Annexure 'A-14' (Page 62 of the Paper Book (PB)) and Annexure 'A-15' (Page 63 of the PB).

4. The Applicant retired on superannuation as Associate Professor way back in the year 2009 and the record reveals that ever since then, he was getting the pensionary benefits on the pay scale admissible to the Associate Professor. It appears that now that revision is being sought to be made on the basis that the Applicant was only an ad-hoc Associate Professor, and therefore, his pension is being sought to be fixed at a lower rate and consequent recovery is being sought to be made. In Annexure 'A-14', there is a reference to an order of the Hon'ble Lokayukta dated 20.2.2017 whereby recovery of excess payment was stayed subject to the approval of the same by Dean, Grant Medical College, Mumbai. However, the Dean does not appear to have acted in that behalf so far. Mrs. Mahajan, the learned Advocate for the Applicant prays for interim relief *inter-alia* citing the fact that, for an extremely long period of time, the pension is being paid at a higher rate. She

also refers me to the G.R. dated 30th October, 2009 as well as the Judgment of **State of Punjab and others Vs. Rafiq Masih (White Washer) : (2014) 8 SCC 883.**

5. Ms. Gohad, the learned PO strongly opposes the grant of any interim relief and she contends that, at least two weeks' time needs to be granted so as to enable the Respondents to file the reply and till then, no interim relief be granted.

6. In my opinion, the facts above referred to are such that the Applicant cannot be left unprotected. No doubt, the Respondents have got a right to file an Affidavit-in-reply, but then the entire matter is judged on the scale of comparative hardship and I am quite clearly of the view that the party Applicant who has received the payment at a higher rate all these years is surely entitled in that behalf to carry the day. In any case, the Respondents do not become helpless or remediless, if for some period of time, the impugned order is stayed. It is, however, made clear that, at the time of hearing post reply and either at interim stage itself or even at a final stage, all concerned will have to consider the Judgment in the matter of **Civil Appeal No.3500/2006 (High Court of Punjab and Haryana and others Vs. Jagdev Singh, dated 29th July, 2016)**. I do not think, however, that at this stage there is any conclusive answer in that behalf.

7. For all the foregoing reasons, the orders herein impugned at Annexure 'A-14' (Page 62 of the PB) and Annexure 'A-15' (Page 63 of the PB) are stayed till the date next to the filing of the Affidavit-in-reply by the Respondents. It is directed that till the period above referred to the Respondents shall pay the pension to the Applicant at the rate they have been paying it so far.

8. Issue notice returnable on 10th October, 2017.

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

10. 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.

11. 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.

12. 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 four

weeks. Applicant is directed to file Affidavit of compliance and notice.

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

14. S.O. to 10th October, 2017.

Sd/-

(R.B. Malik)
VICE-CHAIRMAN
25.09.2017

Mumbai
Date : 25.09.2017
Dictation taken by :
S.K. Wamanse.
D:\SANJAY WAMANSE\JUDGMENTS\2017\9 September, 2017\O.A.892.17.w.9.2017.interim relief.doc

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

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

O.A. No.756 of 2017

D. A. Kachor ... Applicant

V/s.

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

Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

Last chance was already granted on the last occasion. The learned P.O. seeks further adjournment. The application is rejected inter-alia because it is a matter pertaining to compassionate appointment.

It is made clear that on the next date when the matter is called out, if the reply is tendered, it will be taken on record but no adjournment will be given for that purpose.

The Original Application is admitted and appointed for final hearing on 12.10.2017.

(R.B. Malik) 25/9/17
Vice-Chairman
25.09.2017

(vsm)

DATE: 25/9/17
CORAM:
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ (Vice-Chairman)
APPEARANCE:
~~Shri/Smt.~~ K.R. Jagdale
Advocate for the Applicant
Shri/Smt. Ms. S. Suryawanshi
~~C.P.O.~~/P.O. for the Respondents

~~Adj. to~~ O.A. is admitted.
S.O. to 12/10/17.
FH

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

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

DATE: 25/9/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

~~Shri/Smt.~~ Ms. S. Suryawanshi

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

Adj. To 4/10/17

O.A. No.754 of 2017

Dr. P.K. Wadikar ... Applicant

V/s.

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

The interim order dated 28.08.2017 has not been complied with. Although, the learned P.O. informs that within one week, it shall be complied with. I am of the view that defiance with the order has already taken place. Recording this fact, the Original Application stands adjourned to 04.10.2017.

Malik

(R.B. Malik) 25.9.17
Vice-Chairman
25.09.2017

(vsm)

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

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

O.A. No.298 of 2017

S.R. A. Abdul ... Applicant

V/s.

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learne d P.O. for the Respondents.

The learned P.O. informs on instructions from Shri B.S. Shinde, Desk Officer, P.W.D. Mantralaya, Mumbai that the Affidavit-in-Reply will be filed during the course of the day. Relying on this statement of the learned P.O. and accepting it, the O.A. stands adjourned for Affidavit-in-Rejoinder too.

S.O. to 09.10.2017.

(R.B. Malik) 25-9-17
Vice-Chairman
25.09.2017

(vsm)

DATE: 25/9/17

CORAM:

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

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

APPEARANCE:

Shri/~~Smt.~~ A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.J. chougule

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

~~Adj. To:~~ S.O. to 9/10/17.

2

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

O.A. No.831of 2017

V.A. Talkute ... Applicant

V/s.

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

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri Santosh Mamdapure, Section Officer, School Education and Sports Dept. The present is an instance of mid-tenure and mid-term transfer.

I have perused the file. In the name of special reason, the reason assigned was something which does not appear to be a special reason or exceptional circumstance. However, the learned P.O. on instructions interjects with permission and requests that the impugned order may not be stayed because the post does not exist now in that cadre. This resulted into further debate at the bar. Ultimately, the learned P.O. on instructions informs that the Respondents are agreeable to post the applicant vice Deputy Education Officer Secondary, Zilla Parishad, Pune. The Applicant is present in the court and instructed that she is agreeable to the post at Pune.

Therefore, it is treated as the Respondents undertaking and they are directed to comply herewith within a period of two weeks from today. Hamdast.

S.O. to 10.10.2017.

(R.B. Malik)
Vice-Chairman
25.09.2017

(vsm)

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK ~~(Member)~~ (Vice-chairman)
APPEARANCE :
~~Shri/Smt.~~ : Punam Mahajan
Advocate for the Applicant
~~Shri/Smt.~~ : K. S. Gaikwad
~~C.P.O./~~P.O. for the Respondents

~~Adj To:~~ S.O. to 10/10/17.

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

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

DATE: 25/9/17

CORAM:

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

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

APPEARANCE:

~~Shri~~ Smt. Punam Mahajan

Advocate for the Applicant

~~Shri/Smt.~~ Ms. S. Suryawanshi

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

~~Adj:~~ O.A. is admitted..

5.0.to 2/11/17.

FH

O.A. No.400 of 2016

D.T. Joshi ... Applicant

V/s.

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

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

The Original Application is admitted and appointed for final hearing on 02.11.2017.

Malik

25-9-17

(R.B. Malik)
Vice-Chairman
25.09.2017

(vsm)

(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

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

O.A. Nos.805, 806 & 807 of 2016

R. V. Dubey & Ors. ... Applicants

V/s.

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

Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents.

Additional Affidavit-in-Reply (typed as Affidavit-in-Reply) is taken on record. The Original Applications are now adjourned for hearing, mentioning that these Original Applications had become Part-Heard at one time.

S.O. to 04.10.2017.

25-9-17

(R.B. Malik)
Vice-Chairman
25.09.2017

(vsm)

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK ~~(Member)~~ (Vice-chairman)
APPEARANCE :
Shri/Smt. K.R. Jagdale
Advocate for the Applicant
Shri/Smt. A.J. Chougule
C.P.O./P.O. for the Respondents
Reply filed by R. no. 1 on 28.
~~Adj To:~~
S.O. to 4/10/17.
FH

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

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

O.A. No.577 of 2017

D. R. Sor ... Applicant

V/s.

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

Heard Shri M. B. Kadam holding for Shri D.B. Kharie, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.

Pleadings are complete. The Original Application is admitted and appointed for final hearing on 06.11.2017.

(R.B. Malik) 25-9-17
Vice-Chairman
25.09.2017

(vsm)

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ Vice-Chairman
APPEARANCE :
~~Shri/Smt.~~ M.B. Kadam, holding for D.B. Kharie.
Advocate for the Applicant
~~Shri/Smt.~~ Archana B.K.
C.P.O / P.O. for the Respondents

~~Adj. To~~ O.A. is admitted.
S.O. to 6/11/17.

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

O.A. No.875 of 2017

S. S. Agawane & Ors. ... Applicants

V/s.

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms N.G. Gohad, the learned P.O. for the Respondents.

The learned P.O. is being instructed by Shri Jage, Motor Vehicles Prosecutor, Transport Commissioner Office, M.S. Bandra, Mumbai 51 on behalf of the Respondent No.1. The learned P.O. on instructions informs that in so far as the termination etc. is concerned, it depends upon the policy matter within the province of the Respondent No.2 and the matter is pending with them.

Considering the facts as such they are, I direct that in case the decision in that behalf was taken against the Applicants then it be not effectuated for four weeks there from, so that if so advised, the Applicants may make an appropriate move in this pending O.A.

S.O. to 30.10.2017. Hamdast.

(R.B. Malik) 25-9-17
Vice-Chairman
25.09.2017

(vsm)

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)~~
Hon'ble Shri R. B. MALIK ~~(Member)~~ (Vice-Chairman)
APPEARANCE :
~~Shri/Smt.~~ A.V. Bandiwadekar
Advocate for the Applicant
~~Shri/Smt.~~ Ms. N.G. Gohad
~~C.P.O~~/ P.O. for the Respondents
~~Adj. To~~ S.O. to 30/10/17
Hamdast

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

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

DATE: 25/9/17
CORAM:
~~Hon'ble Shri AGARWAL (Chairman)~~
~~Hon'ble Shri R.B.MALIK (Member)~~ <Vice-chairman>
APPEARANCE:
Shri M.D. Lonkar
Advocate for the applicant
Shri K.B. Bhise
C.P.O. P.O. for the respondents.
Reply filed by A.No. 1 to 3.
~~Adj. to~~
O.A. is admitted.
S.O. to 30/10/17. FH

O.A. No. 791of 2017

P.U. Rathod ... Applicant

V/s.

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

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned P.O. for the Respondents.

The learned Advocate for the Applicant informs that the Applicant does not want of file Rejoinder.

The Original Application is admitted and appointed for final hearing on 30.10.2017.

25-9-17

(R.B. Malik)
Vice-Chairman
25.09.2017

(vsm)

(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

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

DATE : 25/9/17

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE :

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

~~Shri~~ /Smt. : S. Suryawanshi

C.P.O / P.O. for the Respondent/s

Adj. To 3/10/2017.

Steno copy & Hamdast is allowed.

Date : 25.09.2017.

O.A.No.315 of 2017

S.N. Salunkhe ....Applicant.

Versus

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

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

2. Shri Ashwin Sakolkar, the learned Advocate for Respondent No.3 is absent.

3. Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents states as follows :-

(a) State Government has declined to accept the name recommendation of Respondent No.3.

(b) Now the State Government has requisitioned to M.P.S.C. to send fresh list.

4. Learned P.O. for the Respondents on further instructions states that the State Government requisition shall be replied within one week.

5. S.O. to 03.10.2017.

6. Steno copy and Hamdast is allowed.

(A.H. Joshi J.)
Chairman

prk

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

O.A.890/2017

Mr. U.P. Ugale ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Mr. K.B. Bhise, the learned PO for the Respondents.

Issue notice returnable on 16th October, 2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

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

Liberty is reserved for the Applicant to seek urgent relief on the next date.

S.O. to 16th October, 2017.

(R.B. Malik) 25.9.17
Vice-Chairman
25.09.2017

(skw)

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK ~~(Member)~~ (Vice-Chairman)
APPEARANCE :
~~Shri/Smt.~~ A.V. Bandiwadekar
Advocate for the Applicant
~~Shri/Smt.~~ K.B. Bhise
~~C.P.O./~~ P.O. for the Respondents
~~Adj. to~~ S.O. to 16/10/17.

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

DATE : 25/9/17
CORAM :
~~Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)~~
~~Hon'ble Shri R. B. MALIK (Member)~~ Vice-Chairman
APPEARANCE :
~~Shri~~ A.V. Bandiwadekar
Advocate for the Applicant
~~Shri~~ K.B. Bhise
C.P.O / P.O. for the Respondents

~~Adj. To~~ S.O. to 4/10/17.

O.A.886/2017

Mr. S.H. Sakharwade ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Mr. K.B. Bhise, the learned PO for the Respondents.

Issue notice returnable on 4th October, 2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

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

Liberty is reserved for the Applicant to seek urgent relief on the next date.

S.O. to 4th October, 2017.

(R.B. Malik) 25.9.17
Vice-Chairman
25.09.2017

(skw)

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

DATE : 25/9/17
CORAM :
~~Hon'ble Shri RAJIV AGARWAL (Vice-Chairman)~~
Hon'ble Shri R. B. MALIK ~~(Member)~~ (Vice-Chairman)
APPEARANCE :
Shri/~~Smt.~~ A.V. Bandiwadekar
Advocate for the Applicant
Shri/~~Smt.~~ K.B. Bhise
~~C.P.O.~~/P.O. for the Respondents
~~Adj. To~~ S.O. to 16/10/17.

O.A.891/2017

Mr. P.S. Patil & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicants and Mr. K.B. Bhise, the learned PO for the Respondents.

Issue notice returnable on 16th October, 2017.

Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

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

Liberty is reserved for the Applicant to seek urgent relief on the next date.

S.O. to 16th October, 2017.

(R.B. Malik) 25-9-17
Vice-Chairman
25.09.2017

(skw)

(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

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

DATE : 25/10/17

CORAM :

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

Hon'ble Shri R. B. MALIK ~~(Member)~~ <Vice-Chairman>

APPEARANCE :

Shri/~~Smt.~~ A.V. Bandiwadekar

Advocate for the Applicant

Shri/~~Smt.~~ K.B. Bhise

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

~~Adj. To~~ M.A. is allowed.

M.A.411/2017 in O.A.891/2017

Mr. P.S. Patil & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicants and Mr. K.B. Bhise, the learned PO for the Respondents.

This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

25/9/17

(R.B. Malik)
Vice-Chairman
25.09.2017

(skw)