[Spl.- MAT-F-2 E.

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT Applicant/s
(Advocate	)	
	versus	
The	State of Maharasht	ra and others
		Respondent/s
(Presenting Officer		)
Office Notes, Office Memoranda of Co Appearance. Tribunal's orders or directions and Registrar's order		Tribunal's orders
	Date : 25.0	
	IVI. A. N	lo.337 of 2017 in O. A. No.35 of 2017
	S. A. Adake	eApplicant
	Versus	
	The State of	Maharashtra & OrsRespondents.
DATE 25 9 8 CORAM Horible Shri P.N. DIXIT (Member) A APPEARANCE: Shri/Smt A:V: Bandiceradok Advocate for the Applicant	Advocate fo learned Pres 2. At the Applicant th	Shri A. V. Bandiwadekar, the learned r the Applicant and Smt. Archana B. K., the senting Officer for the Respondents. requests of the learned Advocate for the e matter is adjourned to 26.09.2018. 26.09.2018.
showing Acrehana B.K.		Sd/-
C.P.O/P.O. for the Respondent/s		(P.N. <sup>I</sup> DIXIT)
Adi./3.0. to 26918	Ź.	MEMBER (Å)
	VSM	

#### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH

#### **ORIGINAL APPLICATION NO 821 OF 2018**

#### **DISTRICT : NASIK**

Dr Shivaii S/o Sambhaji Lahade )...**Applicant** Versus The State of Maharashtra & Others )...**Respondents** 

Shri Ashwin V. Sakolkar, learned advocate for the Applicant. Ms Neelima Gohad, learned Presenting Officer for the Respondents.

# CORAM : Shri Justice A.H Joshi (Chairman)

DATE : 25.09.2018

#### ORDER

1. Heard Shri Ashwin V. Sakolkar, learned advocate for the Applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 10.12.2018

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

4. 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.

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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. Applicants are directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days 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.

8. Heard on interim relief.

9. • Applicant is suspended on the ground of engaging in private practice and on various other charges.

10. Admittedly applicant is due for retirement on 30.9.2018. Impugned order of suspension is passed on 9.8.2018, and served on 31.8.2018. Reason which has led to suspension is filing of FIR against the applicant for various sections under IPC, Drugs and Cosmeuc Act, MTP Act, etc.

11. From the bunch of papers tendered by learned P.O it transpires that:-

- (a) The FIR of Crime No. 1245/2017 is registered on 16.4.2017.
- (b) Investigation has been completed and charge sheet is made ready on 5.7.2017.
- (c) I.O has approached the Government by letter dated 16.2.2018 for permission / sanction for prosecution.

12. This Tribunal has perused all papers produced by learned Presenting Officer. The bunch of papers also contains one of the orders of Hon'ble High Court, where Private Practice by Medical Officers is protected.

13. In the aforesaid background, this Tribunal has to examine the challenge to the suspension and as to whether applicant has made out case for grant of interim relief.

14. Admittedly, in the background that applicant is on the verge of retirement. suspension in contemplation of enquiry furtherance to FIR registered on 16.4.2017.

15. It is not shown as to what emergency cropped up due to which applicant is required to be suspended, particularly in the background investigation is completed way back in May, 2017.

16. During the course of argument, learned Chief Presenting Officer has intervened and argued that now the applicant is on the verge of retirement and if he retires without being under suspension, the legal dues will have to be paid.

17. This submission made by learned C.P.O and P.O speaks in volumes about the agenda underlying the suspension. Moreover, pensionary benefits would not be deniable barely by virtue of fact of suspension, though it is intended to be used for that purpose.

18. On enquiry, learned Presenting Officer is not able to confirm the fact as to whether charge sheet is ready, nor can it be committed.

19. In the aforesaid background, no bonafide object or purpose will be served by suspending the applicant. If at all the Government was keen on holding enquiry against the applicant, such enquiry ought to have been punctually initiated and even completed, and even in future it may be initiated. 4

O.A 821/2018

20. Prima facie, impugned suspension appears to be ordered tor show of the power. The existence of power does not essentially connote or presupposes that such powers must be exercised.

21. In the result on what prima facie appears, applicant has made our a case for stay of suspension.

22. Hence by way of ad interim relief stay of order of suspension dated 9.8.2018, is granted.

23. S.O to 10.12.2018.

24. Steno copy and Hamdast is granted. Learned P.O is airected to communicate this order to the Respondents.

Sd/-(A.H. Joshi, J.)

Place : Mumbai Date : 25.09.2018 Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2018\Sept. 2018\O.A 821.18 Suspension order challenged, int order, SB. 09.18.doc

3.C.P.) J 2200(B) (50,000-2-2015)

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#### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A. No.335 of 2018</u>
	D.S. RaghatwanApplicant
	Vs: The State of Maharashtra & OrsRespondents
	Heard Shri V.V. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
	2. Ld. Advocate for the applicant seeks leave to amend the OA.
DATE 25/9/18	3. Leave granted. Amendment be carried out within four weeks and amended copy be served on all respondents.
CORAM Hon'ble Shri P.N. DIXIT (Member) A	Sd/- (P.N. Dixit)
APPEARANCE: shri/smt Y. Y. Joshi	(P.N. DIXII) Member (A) 25.9.2018 (sgj)
Advocate for the Applicant	
Shri/STAL: Acs change B.R. C.P.O/P.O. for the Respondent/s	
Adi/9.6 10 Descler possed	
Alled by Applicant.	

(G.C.P.) J 2260(B) (50,000--2-2015)

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### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders				
	<u>O.A. No.245 of 20</u>		45 of 2018	<u>)18</u>	
	A.Y. Sha V		4	Applicant	
		of Maharashtra & O	rs.	Respondents	
	the App	eard Smt. Punam M licant and Miss S.I g Officer for the Resp	P. Mancheka	ed Advocate for r, learned Chief	
	2. L	d. PO seeks time to fi	le reply.		
	3. S	.O. to 9.10.2018.		:	
	, -			Sd/-	
DATE 25/9/18			Mer	). Dixit) 1ber (A) 9.2018	
CORAM Hon ble Shri P.N. DIXIT (Member) A	(sgj)				
APPEARANCE: ShrirSmt: Puncelon Mollayou					
Advocate for the Applicant					
Shrifsmt - 163 S. P. Manchettan	-				
C.P.O.P.O. for the Respondent/s Adj./S.O. to 9/10/18			•••••••••••••••••••••••••••••••••••••••		
long -					
		•			

#### (G.C.P.) J 2260(B) (50,000-2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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of 20

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Original Application No.

of 20

Office Notes, Office Memorenda of Coram. Appearence, Tribunal's orders or directions and Registrar's orders	Tribural's orders
	<u>O.A. No.353 of 2018</u>
	S.S. Dhumal & OrsApplicants Vs. The State of Maharashtra & OrsRespondents
	Heard Shri S. S. Dere, learned Advocate for th Applicants and Miss S.P. Manchekar, learned Chie Presenting Officer for the Respondents.
	2. Ld. CPO mentions that she proposes to file reply o behalf of GAD.
	3. S.O. to 11.10.2018, an lent chance.
DATE 25/9/18	Sd/- (P.N. Dixit) Member (A) 25.9.2018
Hor/ble Shri P.N. DIXIT (Member) A	(sgj)
APPEARANCE: Shrismt 5.5 Dese	
Activocate for the Applicant	
Shri/Smt Mg. S. P. Mehchoka C.P.O/P.O. for the Respondent/s	
Adj./S.O. to 11/10/18. as a last chance.	

 $(G,C,P_{2}) = J_{2}2200(B) (50,000-2-2015)$ 

Spl. MAT-F-2 E.

#### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

of 20

#### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders O.A. No.476 of 2018 .. Applicants Dr. V.P. Sonone & Ors. Vs. ..Respondents The State of Maharashtra & Ors. Heard Shri S.S. Wagh, learned Advocate holding for Shri V.B. Wagh, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Ld. PO seeks time to file reply. 2. DATE 2 3. S.O. to 9.10.2018. CORAM Hon'ble Shri P.N. DIXIT (Member) A Sd/-(P.N. Dixit) Member (A) APPEARANC 25.9.2018 Shri/Smt. (sgj) o cholding Advocate for the Applicant Shritsmt : K. S. C.P.O/P.O. for the Respondent/s 10/18 Adj./S.O. to ........

(G.C.P.) J 2260(B) (50,000-2-2015)

#### ISpl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders of directions and Registrar's orders	Tribunal's orders			
• •	<u>O.A. No.520 of 2018</u>			
	S.S. Kshirsagar Vs. The State of Maharashtra & Ors.	Applicant		
	Heard Smt. Punam Mahajar the Applicant and Miss Neelima Go Officer for the Respondents.	, learned Advocate for		
	2. Ld. PO seeks time to file repl	у.		
	3. S.O. to 16.10.2018.	•		
DATE 25/9/18		Sd/- (P.N. Dixit) Member (A) 25.9.2018		
Hon'ble Shri P.N. DIXIT (Member) A	(sgj)			
APPEARANCE: Shrismi: Pernam Mahajan				
Advocate for the Applicant				
GPO/PO, for the Respondent/s		• •		
Adj./S.O. to 16/10/18.				
· · · · · ·	· . .:			

(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

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Original Application No.

of 20

#### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memorands of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders O.A. No.437 of 2018 Dr. M.B. Bansode .. Applicant Vs. ..Respondents The State of Maharashtra & Ors. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents. Ld. Advocate for the applicant seeks time to take 2. fresh instructions. S.O. to 9.10.2018. 3. DATE 25 Sd/-CORAM (P.N. Dixit) Hon'ble Shri P.N. DIXIT (Member) A Member (A) 25.9.2018 APPEARANCE: (sgj) Shriv8mt. : P.C mø Advocate for the Applicant Shriftent CPOTED, for the Responde Adi./S.O. to

(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.

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's ord	ers	
	O.A. No.198 of 2018			
	S.N. SI	nelwane Vs.	Applicant	
	The St	ate of Maharashtra & Ors.	Respondents	
	the A Presen	Heard Smt. Punam Mal pplicant and Miss Sa ting Officer for the Respo	najan, learned Advocate fo vita Suryawanshi, learneo ndents.	
	2.	Ld. PO files reply and the	e same is taken on record.	
	3.	Admit. To come up for t	inal hearing in due course.	
LATE 25/9/18			Sd/- (P.N.IDixit) Member (A)	
terime Shif P.N. Ό¦Xi™ (Menimer) é.	(sgj)		25.9.2018	
Puncen Mahayan		•	· · · · · · · · · · · · · · · · · · ·	
whitedate for the Applicant			· ·	
Mg. S. Schreidenone	ų.		· · ·	
Republication the Respondents. 1 to 4.				
up for final hearing				
ien dere cocerse. V Pepty filled by find p.no. 1 to 4. V	4			
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(G.C.P.) J 2260(B) (50,000-2-2015)

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram. Appearence, Tribunal's orders or directions and Registrar's orders		T	ribunal's orders	
		······································	O.A. No.197 of 20	)18
	T.P. 5	Salunkhe Vs.		Applicant
	The S	tate of Mahar	ashtra & Ors.	Respondents
			Shri A.J. Chougu	learned Advocate fo ile, learned Presentin
	2.	Ld. PO seek	s time to file reply	n .
DATE 25/9/18	3.	S.O. to 16.1	0.2018 by way of l	ast chance.
CORAM Honible Shrl P.N. DIXIT (Member) A				Sd/- (P.NL Dixit)
APPEARANCE: ShrirSmt : Pancella Melapon	(sgj)		2. 	Member (A) 25.9.2018
Advocate for the Applicant				
Shri/Smt A. J. Chocycele C.P.O.P.O. for the Respondent/s				
Adj./S.O. to 16/10/18			•	
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# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	) DISTRICT Applicant/s
(Advocate		uersus
The S	State of I	Maharashtra and others
		Respondent/s
(Presenting Officer		)
Office Notes, Office Memoranda of Con Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
		Date : 25.09.2018
		O. A. No.333 of 2017
		Colonel P. N. Dhole & othersApplicants
		Versus
		The State of Maharashtra & OrsRespondents.
DATE <u>25 9  8</u> CORAM Hon'ble Shri P.N. DIXIT (Member) A	1	1. None for the Applicant. Heard Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.
APPEARANCE: Shrivemt Nohe Poco th		2. At the request of the learned P.O. the matter is adjourned to 26.10.2018.
Advocate for the Applicant		
Shrifsmit N.S. S. Sconegore		Sd/- (P.N. <sup>1</sup> DIXIT) MEMBER (A)
Adj. 15.0. to 2010/18		VSM

Original Application No.	of 20	DISTRICT Applicant/
Advocate	)	
	vers	15
The	State of Mahai	ashtra and others
		Respondent
(Presenting Officer		)
Office Notes, Office Memoranda of Co Appearance, Tribunal's orders or directions and Registrar's order		Tribunal's orders
	D	ate : 25.09.2018
		vl. A. No.378 of 2018 in O. A. No.686 of 2018
	D	D. RawleApplicant
		ersus
	T	e State of Maharashtra & OrsRespondents.
TE 25/9/18		Heard Smt. Punam Mahajan, the learned lvocate for the Applicant and Ms N. G. Gohad, the arned Presenting Officer for the Respondents.
RAM	IE	amed Presenting Officer for the Respondents.
a'ble Shri P.N. DIXIT (Member) A		At the request of the learned P.O. to file fidavit-in-Reply, the matter is adjourned to 3.10.2018.
PEARANCE: WSTmt: Pancein Moelige	cen	
vocate for the Applicant		Sd/-
ismt- NS. N. G. Gohar	D	(P.N. <sup>:</sup> DIXIT)
COP.O. for the Respondent/s		MEMBER (A)
15.0. to 23/10/18.	Dent	

[*P.T.O.* 

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

Tribunal's orders

Date: 25.09.2018

M. A. No.486 of 2018 in O. A. No.132 of 2018 with M.A. No.101 of 2018 in O.A.132 of 2018

V. S. Zarekar & Ors.

.....Applicants

Versus

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

1. Heard Shri A. N. Naikwadi, the learned Advocate for the Applicant and Shri A. J. Chougule, the learned Presenting Officer with Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 09.10.2018.

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 Misc. Application. 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, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 09.10.2018.

(P.N. DIXIT) **MEMBER (A)** 

DATE 25/9/18

CORAM Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE: Shrusmt A.N. Noilleonali

Advocate for the Applicant

Shri/Smt A: J: Chouque C.P.O/P.O. for the Respondent/s Adj./S.O. to ....9.110118 With MA 4 484118

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

DATE 25/9/18

<u>CORAM</u> Hon:ble Shri P.N. DIXIT (Member) A

#### APPEARANCE: Shrijsmt A.N. Moikeenedi

Advocate for the Applicant

M.A.48618

Shri/Smt A.J. chocegcole C.P.O.P.O. for the Respondent/s Adj./5.0. to 9/10/18 cerith

Tribunal's orders

#### Date: 25.09.2018

M. A. No.484 of 2018 with M.A. No.485 of 2018 in O.A.984 of 2017

R. N. Fulzele & Ors.

.....Applicants

Versus

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

1. Heard Shri A. N. Naikwadi, the learned Advocate for the Applicant and Shri A. J. Chougule, the learned Presenting Officer with Ms S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 09.10.2018.

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 Misc. Application. 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, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 09.10.2018.

Sd/-(P.N. DIXIT) MEMBER (A)

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[Spl.- MAT-F-2 E.

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	
×		Applicat	at/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 : 25.09.2018
	M. A. No.03 of 2017 in O.A. No. 1052 of 2016
	M. M. PatankarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri A. V. Bandiwadekar, the learned
	Advocate for the Applicant in M.A.03/17, Shri M. R. Patil, the learned Advocate for the Applicants in
DATE 2519110	O.A.1052/16. Ms S. Suryawanshi, the learned
CORAM	Presenting Officer for the Respondents, Shri M. D.
Her ble Shri P.N. DIXIT (Member) A	Lonkar with Shri M. R. Patil, the learned Advocates for
5. 11.50.8-5 <b>11.</b>	Respondent Nos.1 & 164 in M.A.03/17. Smt. Punam Mahajan, the learned Advocate for the Respondents 9
S. A.V. Baendicearderes	to 14 and Shri A. V. Bandiwadekar, the learned
N. P. Peeti . Adu, Pour the Appli CMH3119	Advocate for the Respondents 4 to 8 in O.A.1052/16.
La COA 105216	
Shri/Smt Ng. S. Scerejeeoxenshe	2. M.A. and O.A. be heard together in due course.
C.P.O.TP.O. for the Respondent's - IN D. Lowke with M. R. Poetil for A Neo. 12164	
ALSON MUCharden for	
Sine Centern All All Brending	Sd/- (P.N. DIXIT)
1 0 1 1 109 COA 10.52 1101	MEMBER (A)
M.A. and O.A. be heard Hogother in due course.	
together in ouce established	
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(Spl.- MAT-F-2 E.

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

MUMBAI		
Original Application No. of 2	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 : 25.09.2018	
	M. A. No.499 of 2018 in O. A. No.1212 of 2016	
	B. S. Kachare & OrsApplicants	
	Versus	
	The State of Maharashtra & OrsRespondents.	
DATE 25/9/18	<ol> <li>Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.</li> <li>Learned Advocate for the Applicants seeks to</li> </ol>	
CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. Learned Advocate for the Applicants seeks to modify the order issued on 04.09.2018. Only the Misc. Application No.14/2018 is withdrawn and Original	
	Application will be continued and restored.	
APPEARANCE: Stritsmi : Prunaun Mahayan		
Advocate for the Applicant		
	Sd/- (P.N. <sup>t</sup> DIXIT)	
Shuttom N.g. S. Scere acoo chelu CHORO. for the Respondents	MEMBER (A)	
en the heibernels column.	VSM	

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

DATE 2

APPEARANCE

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Acrosate for the Applicant

Shrifsont N.G. C

Adj./3.0. to 22 10 18

G.P.O/P.O. for the Respondent/s 100

Hopible Shri P.N. DIXIT (Member) A

E Sont AV Boendicexedetter

CORAM

Date: 25.09.2018

M.A. No.469 of 2018 in O. A. No.227 of 2017

.....Applicant S. D. Dhakpade

Versus

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

Heard Shri A. V. Bandiwadekar, the learned 1. Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents. None for the Respondent Nos.1, 3 & 6.

2. Issue notice before admission returnable on 22.10.2018.

Tribunal may take the case for final disposal at this 3. stage and separate notice for final disposal shall not be issued.

Applicant is authorized and directed to serve on 4. Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Misc. Application. 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 guestions such as limitation and alternate remedy are kept open.

The service may be done by Hand delivery, speed 6. 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 days or 7. service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 22.10.2018.

 $^{\circ}$ Sd/-(P.N. DIXIT) MEMBER (A)

[Spl.- MAT-F-2 E.

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No. of	20 DISTRICT Applicant/s
(Advocate	)
	versus
The State of	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 : 25.09.2018
	O. A. No.436 of 2018
	C. R. Jadhav & OrsApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
DATE 25/2/18	1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.
CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. At the request of the learned Advocate for the Applicants adjourned to 09.10.2018.
APPEARANCE: Strifsmt : Para Mahayan Advocate for the Applicant	3. Learned P.O. for the Respondents is directed to make the statement about arrears of payment on the promotional post on the next date.
Shrifsmt Ne S. P. Mehcherker C.P.O.P.O. For the Respondent's	4. S.O. to 09.10.2018.
Adj./S.O. to 9/10/18:	Sd/-
	(P.N. DIXIT) MEMBER (A)
	VSM

(Spl.- MAT-F-2 E.

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

MUMBAI		
Original Application No.	of 20	District Applicant/
(Advocate	)	
	versus	
The	State of Maharash	itra and others
		Respondent
(Presenting Officer		)
Office Notes, Office Memoranda of C Appearance, Tribunal's orders o directions and Registrar's orde	or	Tribunal's orders
TE 25/9/18 PRAM The Shrip.N. DIXIT (Member) A PEARANCE: TVSmt. V.U. Joshi tvocate for the Applicant Tri/Smt. Accha B PO/P.O. for the Respondent/s dj./3.0. to 16/10/18	M. A. R. S. Saw Versus The State 1. Hear Applicant Officer for 2. Lear 3. S.O.	5.09.2018 No.240 of 2018 in O. A. No.398 of 2018 antApplicant of Maharashtra & OrsRespondents. rd Shri V. V. Joshi, the learned Advocate for the and Smt. Archana B. K. the learned Presenting r the Respondents. ned P.O. seeks time to file Affidavit-in-Reply. to 16.10.2018. Sd/- (P.N. <b>b</b> IXIT) MEMBER (A)

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

Tribunal's orders

Date: 25.09.2018

O. A. No.1054 of 2017

S. A. Suryawanshi

.....Applicant

Versus

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

1. Heard Shri Vikrant Desai holding for Shri K. P. Lad, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.

2. In view of the order passed in M.A.No.481 of 2017 in O.A.No.1054 of 2017, the order of dismissal of the O.A. is restored to its original number.

3. Issue notice before admission returnable on 22.10.2018.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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.

8. 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.

9. 5.0. to 22.10.2018.

VSM

Sd/-(P.Nl DIXIŤ) MEMBER (A)

DATE \_25/9/18

CORAM Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE: Shri/Smt Mikgornt Des Advocate for the Applicant Shri/Smt Acz chara Bik C.P.O/P.O. for the Respondent/s Adj./S.O. to 22/10/18

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

MUMBAL		
Original Application No. of	20 DISTRICT Applicant/s	
(Advocate	)	
	versus	
The State o	f 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 25/9/18 CORAM Hon'ble Shri P.N. DIXIT (Member) A APPEARANCE: Shrivsnit Wilkscent Desci holding for K.P. Lad Arrocate for the Applicant Shartsmit: Academa B.K. CHEOF.O. for the Respondent/s Adj. 30. to M.A. as disposed off.	Date : 25.09.2018 M. A. No.481 of 2017 in O. A. No.1054 of 2017 S. A. SuryawanshiApplicant Versus The State of Maharashtra & OrsRespondents. 1. Heard Shri Vikrant Desai holding for Shri K. P. Lad, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents. 2. Misc. Application 481 of 2017 is allowed. The matter is restored. On restoration of O.A.No.1054 of 2017, fresh notice be issued to the Respondents. 3. Misc. Application is disposed off without any order as to costs. Sd/- (P.N. DIXIT) MEMBER (A) VSM	

(G.C.P.) J 2959 (A) (50,000-3-2017)

[Spl.- MAT-F-2 E.

..... Applicant/s

DISTRICT

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

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Original Application No.

(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 : 25.09.2018 M. A. No.314 of 2018 in O. A. No.1118 of 2015	
	Dr. P. Thakare & OrsApplicants Versus The State of Maharashtra & OrsRespondents.	
	1. None for the Applicants. Heard Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.	
DATE 25/9/18 CORAM Hospile Shrip.N. DIXIT (Member) A APPEARANCE None Pace Hise Applicant.	2. This Original Application be heard along with O.A. Nos.1091/15 with 1118/15 with 1119/15 with 1120/15 with 1124/15 with 1125/15 with 1126/15 with 1128/15 with 1129/15 with 1130/15 with 3/16 with 4/16 with 28/16 with 29/16 with 32/16 with 33/16 with 34/16 with 35/16 with 62/16 with 67/16 with 135/16 with 144/16 with 148/16 with 1153/17 with 1187/17 with O.A.24/18 with M.A. 13/18 with O.A.25/18 with 26/18 with 27/18 with 1128/17, 629/16 with 92/16 with 117/18, 118/18.	
Shrippit: Ms. S. P. Manchakan C.P.O.P.O. For the Respondent/s	3. S.O. to 23.10. 2018.	
Adj./3.0. to 23/10/18	Sd/- (P.N/DIXIT) MEMBER (A)	
	VSM	

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#### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

	Date : 25.09.2018	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
(Presenting Officer	)	Respondent/s
The State	of Maharashtra and others	,
	versus	
(Advocate	)	
Original Application No.	f 20	District Applicant/s

M. A. No.326 of 2018 in R.A. No.15 of 2018 in O. A. No.606 of 2014 with R.A. No.15 of 2018 in O.A.No.606 of 2014

D. S. Warke

.....Applicant

Versus

VSM

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

1. None for the Applicant. Heard Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. The matter be placed before the Hon'ble Chairman for necessary orders.

Sd/-(P.N. þíxit) MEMBER (A)

9118 DATE 25 CORAM Hon'ble Shri P.N. DIXIT (Member) A

APPEARANCE: Shrivsmt. Note Poor the applicant. Advocate for the Applicant

- Shritsmin 148. S. Sceryaloensh \_\_C.P.O/P.O. for the Respondent/s

Adj. 8.0 to The Matter be Placed before the Honble Chairman for hecessary ourders

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## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of	20 DISTRICT Applicant/s
(Advocate	uersus
The State o	f Maharashtra and others
(Presenting Officer	Respondent/s
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 25.09.2018 O. A. No.258 of 2018
	S. P. KhotApplicant
	Versus The State of Maharashtra & OrsRespondents.
DATE 25/9/18	1. Heard the Applicant in person and Ms N. G. Gohad, the learned Presenting Officer for the Respondents.
CORAM Hon'ble Shri P.N. DIXIT (Member) A	2. The matter be placed before the Hon'ble Chairman for necessary orders.
APPEARANCE: Strivsmt Applicant inperson	
Advecate for the Applicant	Sd/-
Shri/Smt : NS: N.G. Gohad	(P.Ň.DIXIT) MEMBER (A)
Adiso to The Matter be Placed before the	VSM
Houble chairmanhour	
recessery orders.	

(G.C.P.) J 2260(B) (50,000---2-2015)

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(Spl. MAT F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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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. No.623 of 2018	
	Dr. D.J. Chaurasia Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri M.V. Thorat, learned Advocate for Applicant and Miss Neelima Gohad, learned Present Officer for the Respondents.	
	2. Ld. PO seeks time to file reply.	
· .	3. S.O. to 26.10.2018.	
DATE <u>25988</u> CORAM Hon'ble Shri P.N. DIXIT (Member) A APPEARANCE: ShrijSmt M.V., Thomas		Sd/- (P.N. Dixit) Member (A) 25.9.2018
Advocate for the Applicant		
<u>Shrifemt</u> N.G. Gohad		
Adj./S.O. to \$6/10/18		
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M.A./R.A./C.A. No.

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Original Application No.

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>25.09.2018</u> <u>0.A 803/2018</u>
	Shri R.K Javkar Applicant
	Vs. The State of Maharashtra & Ors       Respondents
	1. Heard Shri R.G Panchal, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.
	2. Issue notice returnable on 26.11.2018.
	3. Tribunal may take the case for final disposa at this stage and separate notice for final disposa need not be issued.
· · · · · · · · · · · · · · · · · · ·	4. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing culy authenticated by Registry, along wit complete paper book of O.A. Respondents are put to notice that the case would be taken up for final
	<ul> <li>to notice that the case would be having a disposal at the stage of admission hearing.</li> <li>5. This intimation/notice is ordered under Ru</li> <li>11 of the Maharashtra Administrative Tribun (Procedure) Rules, 1988, and the questions such a context and kept open.</li> </ul>
	limitation and alternate remedy are kept open.
	6. The service may be done by hand deliver speed post/courier and acknowledgement obtained and produced along with affidavit compliance in the Registry within one wee Applicants are directed to file affidavit of compliant and notice.
	7. In case notice is not collected within 7 da or service report on affidavit is not filed 3 da before returnable date, Original Application sh stand dismissed without reference and papers consigned to record.
	8. S.O to 26.11.2018
	- Sd/- (A.H Joshi, ()
	Chairman <sup>y</sup>

(G.C.P.) J 2260(B) (50,000-2-2015)

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## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>25.09.2018</u>
	C.A 17/2018 in O.A 586/2016
	Dr S.S Chappalwar Applicant
	Vs. The State of Maharashtra & Ors Respondents
	1. Heard Shri A.V Bandiwadekar, learned advocat for the applicant and Ms Neelima Gohad, learned P.O fo the Respondents.
	2. Learned P.O has tendered affidavits, those an taken on record.
	3. Learned advocate Shri Bandiwadekar prays for four weeks' time.
	4. S.O to 27.11.2018.
	(A.H Joshi, A.) Chairman
	Akn

(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.

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#### FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram. Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders 25.09.2018 C.A 28/2018 in O.A 199/2016 ... Applicants Shri D.K Solanki & Others Vs. ... Respondents The State of Maharashtra & Ors Heard Shri A.V Bandiwadekar, learned advocate 1. for the applicant and Smt Kranti S.Gaikwad, learned P.O for the Respondents. At the request of learned P.O adjourned to 2. 6.10.2018. Sd/-(A.H Joshi, J.) Chairman Akn

(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.

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## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders 25.09.2018 O.A No 981/2017 ... Applicant Shri V.U Sherkhane Vs. The State of Maharashtra & Ors... Respondents Heard Shri R.G Panchal, learned advocate 1. for the applicant and Ms Neelima Gohao. learned P.O for the Respondents. It is found that Respondent no. 1 has not 2.filed reply. School Education Principal Secretary, 3. Department, Mantralaya, Mumbai, is directed to file his own affidavit answering para 5(a) & 5(b, of O.A. CORAM : Hon'ble Justice Shri A. H. Joshi (Chairmen) Reply be filed within one week. Hon'ble Shri P. N. Dixit Member (A) 4. APPEARANCE: S.O to 4.10.2018. 5. ShrijSmt K.C. Steno copy and Hamdast is grantec. Advocate for the Applicant 6. Learned P.O is directed to communicate this Shri/Smt Mg. N. G. order to the Respondents. C.F.J/P.O. for the Respondent/s AG S.O. to 4110118 steno copy and Handast Sd/ (P.N Dixit) Member (A)

(Spl.- MAT-F-2 E.

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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IN

(G.C.P.) J 2260(B) (50,000-2-2015)

Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	25.09.2018	
	O.A No 273/2018	
	Shri S.S Mali Applicant	
	Vs. The State of Maharashtra & Ors Respondents	
	1. Heard Smt A.S Patki, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.	
•	2. Learned C.P.O states on instructions as follows:-	
	(a) Impugned order dated 2.7.2018 shall be withdrawn forthwith.	
DATE: 25(9)[8 CORAM: Hon'ble Justice Shri A. H. Joshi (Chairmen)	(b) The second appeal shall be heard by Commissioner on 28.9.2018 at 12.00 pm as far as possible and shall be decided soon.	
Hon'ble Shri P. N. Dixit Member (A) APPEARANCE: Shri/Smt. A. S. Patki	3. Learned Advocate for applicant states that applicant shall appear before Commissioner, Sports, Pune at 12.00 pm on 28.9.2018.	
Advocate for the Applicant Shri/Smt 149. g. P. Manchekan	4. In view of the foregoing, hearing of O.A is adjourned to 5.10.2018.	
C.P.O/P.O. for the Respondent/s		
with and a contraction of the	Sd/ Sd/ y	
MA 212-118	(P.N Dixit) (A.H Joshi, J.) Member (A) Chairman	
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#### (G.C.P.) J 2260(B) (50,000--2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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IN

Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Trihunal's orders or directions and Registrar's orders	Tribunal's orders	
	25.09.2018	
	<u>O.A No 912</u>	/2017
	Shri S.C Bhosale Vs. The State of Maharashtr	Applicant a & Ors Respondents
	1. Heard applicant i Manchekar, learned C.P	n person and Ms Swati .O for the Respondents.
DATE: 25 9 18	2. Learned C.P.O affidavit on merit needs filed during course of th	states that additional s to be filed and is being se day.
DATE: Set Shri A. H. Joshi (Chairmen) Hon'ble Justice Shri A. H. Joshi (Chairmen) Hon'ble Shri P. N. Dixit Member (A) <u>APPEARANCE</u> : Shri/Smt. A. P. plicer. ht. IN. p. 2.490h	3. S.O to 27.9.2018.	Ŋ
Advocate for the Applicant- ShrifSmt Ms. S. P. Martichelkar C.F. S.R.O. tor the Respondent's Ag. S.O. to 27/9/18	Sd/- (P.N Dixit) Member (A) Akn	Sd/- (A.H Joshi, J.) Chairman
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(G.C.P.) J 2200(B) (50,000--2-2015)

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrer's orders	14 <del>.05.2018</del> Tribunal's orders 25.09.2.018
	Shri R.S Salunkhe & Others Applicants
	Vs.
	The State of Maharashtra & Ors Respondents
	1. None for the applicants. Heard Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.
	2. Issue notice returnable on 5.12.2108.
	3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
	4. 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.
	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/cour.er 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.
	7. In case notice is not collected within 7 days 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.
	8. S.O 5.12.2018.
	- Sd/-
· · ·	(A.H Joshi J.) Chairman
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#### (Spl.: MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders 1 <b>4.05.3918</b>
	25.09.2018
	M.A 487/2018 in O.A No 849/2018
	Shri R.S Salunkhe & Others Applicants
	Vs.
	The State of Maharashtra & Ors Respondents
	1. None for the applicants. Heard Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.
	2. This is an application for leave to sue jointly.
	3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.
	4. In this view of the matter, the present M.A is allowed subject to Applicants paying requisite court fees, if not already paid.
	5. M.A is allowed.
	X
	Sd/- 1
	(A.H. Joshi, J.)
	Akn
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## (G.C.P.) J 2260(B) (60,000--2.2015)

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	Tribunai's orders 1 <b>4.06.2018</b>
	25 09 2018
	M.A 487/2018 in O.A No 848/2018
	Shri R.S Salunkhe & Others Applicants
	Vs.
	The State of Maharashtra & Ors Respondents
	1. None for the applicants. Heard Ms Swatt Manchekar, learned Chief Presenting Officer for the Respondents.
	2. This is an application for leave to sue jointly.
	3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.
	4. In this view of the matter, the present M.A is allowed subject to Applicants paying requisite court fees if not already paid.
	5. M.A is allowed.
	- Sd/-
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(4.C.P.) J. 2200(B) (80,000-g-2015)

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMHAI

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	14.06.2018 25.09.2018 Tribunal's orders
	<u>O.A No 849/2018</u>
	Shri R.S Salunkhe & Others Applicants
	Vs.
	The State of Maharashtra & Ors Respondents ,
	1. None for the applicants. Heard Ms Swati Mancheker, learned Chief Presenting Officer for the Respondents.
	2. Issue notice returnable on 5.12.2108.
	3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
	4. 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 admissior hearing.
	5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1938, and the questions such as limitation and alternate remedy are kept open.
	6. The service may be done by hand delivery/ speed post/cour er 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.
	7. In case notice is not collected within 7 days 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.
	8. S.O 5.12.2018.
~	Sd/- (A.H Joshi, M) - ^ Chairman
	Akn

### IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

O.A.No.1091/2015 with O.A.No.1118/2015 with O.A.No.1119/2015 with O.A.No.1120/2015 with O.A.No.1124/2015 with O.A.No.1125/2015 with O.A.No.1126/2015 with O.A.No.1128/2015 with O.A.No.1129/2015 with O.A.No.1130/2015 with O.A.No.3/2016 with O.A.No.4/2016 with O.A.No.28/2016 with O.A.No.29/2016 with O.A.No.32/2016 with O.A.No.33/2016 with O.A.No.34/2016 with O.A.No.35/2016 with O.A.No.62/2016 with O.A.No.67/2016 with O.A.No.135/2016 with O.A.No.144/2016 with O.A.No.148/2016 with O.A.No.1153/2017 with O.A.No.1187/2017 with O.A.No.24/2018 with M.A.No.13/2018 with O.A.No.25/2018 with O.A.No.26/2018 with O.A.No.27/2018 with O.A.No.1128/2017 with O.A.No.629/2016 with O.A.No.92/2016 with O.A.No.117/2018 with O.A.No.118/2018

Dr. K.D. Lohite (O.A.No.1091/2015) P.B. Thakare & Ors. (O.A.No.1118/2015) Dr. S.U. Pawar & Ors. (O.A.No.1119/2015) Dr. K.V. Shegaonkar & Ors. (O.A.No.1120/2015) Dr. S.D. Shinde (O.A.No.1124/2015) Dr. R.D. Kolekar & Ors. (O.A.No.1125/2015) Dr. B.M. Dahat (O.A.No.1126/2015) Dr. S.N. Ghawade & Ors. (O.A.No.1128/2015) Dr. R.S. Toshniwal & Ors. (O.A.No.1129/2015) Dr. J.R. Tambe & Ors. (O.A.No.1130/2015) M.A. Margiya & Ors. (O.A.No.3/2016) Dr. A. Rathod & Ors. (O.A. No.4/2016) Dr. A.N. Bhingare & Ors. (O.A. No.28/2016) Dr. P.M. Deshmukh (O.A.No.29/2016) Dr. S.D. Ahire (O.A.No.32/2016) Dr. S.P. Gophane & Ors. (O.A.No.33/2016) Dr. P.D. Myakalwar & Ors. (O.A.No.34/2016) R. Bhendarkar (O.A.No.35/2016) Dr. R.K. Waychani & Ors. (O.A.No.62/2016) Dr. M.M. Patil & Ors. (O.A.No.67/2016) Dr. Gaikwad S.S. & Ors. (O.A.No.135/2016) Dr. Sangeeta Chopkar (O.A.No.144/2016) Dr. M.D. Chavan (O.A.No.148/2016) Dr. M.N. Narwade (O.A.No.1153/2017) Dr. Y.G. Fegade (O.A.No.1187/2017) A. Kute (O.A.No.24/2018 with M.A.No.13/2018) Dr. P.P. Sirsat (O.A.No.25/2018) Dr. P. Sonawane (O.A.No.26/2018) Dr. R.A. Mundhe (O.A.No.27/2018)

Dr. V.T. Thakur & Ors. (O.A.No.1128/2017) Dr. N.N. Dhumey (O.A.No.629/2016) Dr. P.V. Gaikwad & Ors. (O.A.No.92/2016) Dr. M. Wankhade (O.A.No.117/2018) Dr. P.R. Muley (O.A.No.118/2018)

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri Vishal chauhan, learned Advocate holding for Shri A.A. Desai, Shri S. Kusale, Shri M.D. Lonkar, Shri K.R. Jagdale and Shri V.P. Potbhare, the learned Advocate for the Applicants.

Shri S.K. Nair, the Special Counsel, Ms. N.G. Gohad, Shri S.D. Dole, the learned Presenting Officers with Ms. S. P. Manchekar, the learned Chief Presenting Officer for the Respondents.

CORAM	:	Justice Shri A.H. Joshi, Chairman Shri P.N. Dixit, Member(A)
DATE	:	25.09.2018.

PER : Justice Shri A.H. Joshi, Chairman

### ORDER

1. Heard Shri A.A. Desai. Shri S. Kusale, Shri M.D. Lonkar, Shri K.R. Jagdale and Shri V.P. Potbhare, the learned Advocate for the Applicants and Shri S.K. Nair, the Special Counsel with Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. At the request of learned Special Counsel Nair time for compliance of order passed on 19.6.2018 is extended till next date.

3. Interim order shall continue till next date.

4. S.O. to 23.10.2018.

sba

Sd/-Chairmar

(P.N. Dixit) Member(A)

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### (O.C.P.) J 2260(B) (50,000-2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMHAI

. .....

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

of 20

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Original Application No.

of 20

## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
	25.09.2018			
	<u>O.A 774/2018</u>			
	Shri N.N Kulkarni Applicant			
	Vs. The State of Maharashtra & Ors Respondents			
	F			
	1. Heard Shri S.S Mehta, learned advocate for			
	applicant and Shri A.J Chougule, learned P.O for the			
	Respondents.			
	2. Interim relief to continue.			
	3. S O to 6.12.2018.			
	Q			
	Sd/-			
	(A.H Joshi, J.) U			
· · · · · · · · · · · · · · · · · · ·	Chairman			
	Akn			

## IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI BENCH

## **ORIGINAL APPLICATION NO 609 OF 2016**

### DISTRICT : MUMBAI

Shri Prakash R. Acharekar	)
Service as Addl. Superintendent of Police	)
[Technical], Motor Transport,	)
Pune Range, Pune.	)
R/o: D/303, Matoshree Park,	)
Bhandup Village (E),	)
Mumbai 400 042.	)Applicant

### Versus

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1.	The State of Maharashtra	)
	Through the Chief Secretary,	)
	General Administration Department,	)
	Mantralaya, Mumbai.	)
2.	The Addl. Chief Secretary,	)
	Home Department, Mantralaya,	)
	Mumbai.	)
3.	The Director General of Police,	)
	M.S, Shahid Bhagatsing Marg,	)
	Colaba, Mumbai.	)
4.	The Special Inspector General of	)
	Police, Motor Transport Division,	)
	M.S, Pune Range, Pune.	)Respondents

Shri M.R Patil, learned advocate for the Applicant. Smt Kranti S. Gaikwd, learned Presenting Officer for the Respondents.



# CORAM : Shri Justice A.H. Joshi (Chairman) Shri P.N Dixit (Member) (A)

DATE : 25.09.2018

PER : Shri Justice A.H Joshi (Chairman)

### ORDER

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

2. Applicant has approached this Tribunal with following prayer:-

"10(a) To issue appropriate mandatory directions to the respondents to forthwith take up for consideration the case of the Applicant's regular promotion to the cadre of SP/DCP (Tech), M.T along with grant of deemed date of such promotion to the applicant w.e.f 2.4.2013 with all consequential benefits including arrears of pay, increments and all other benefits of continuous regular service from such deemed date of promotion." (Quoted from page 17 of O.A)

3. During pendency of O.A. applicant is promoted as Deputy Commissioner of Police, Motor Transport. Mumbai, by order dated 23.6.2017.

4. Applicant wants to pursue the claim on the basis of fact that:-

- (a) Vacancy existed
- (b) Selection process was initiated.
- (c) Promotion has been delayed.

5. Applicant's claim is based on averment contained in paras 6.17 and 6.18.

6. Applicant has failed to base his claim on legal right and foundation of his claim is expectation than, based on legal rights.

7. Hence, Original Application has no merit and is dismissed.

8. Parties are directed to bear own costs.

~ 1 Sd/-

(P.N Dixit) Member (A)

Sd/-(A.H. Joshi, J Chairman

Place : Mumbai Date : 25.09.2018 Dictation taken by : A.K. Nair.

H:\Anil Nair\Judgments\2018\Sept. 2018\O.A 609.16, DB, Promotion challenged, 09.18.doc

## (G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

. . . .

Original Application No.	of 20 DISTRICT
	Applicant/s
(Advocate	
	versus
The Stat	• 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
	<u>Date:- 25.09.2018</u>
	O.A.No.923 of 2017 with O.A.No.1009 of 2017 with
	O.A.No.1011 of 2017
	R.Z. Zople       (O.A.No.923 of 2017)         C.D. Shahane       (O.A.No.1009 of 2017)         L.P. Patil & Ors.       (O.A.No.1011 of 2017)         Applicants
	Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Smt. Punam Mahajan, the learned Advocate
	for the Applicants and Shri A.J. Chougule, the learned
	Presenting Officer for the Respondents.
	2. Learned P.O. for the Respondents states as follows:-
'n	That the matter of consideration of Applicants' representation is in process and the file is put up before the Hon'ble Chief Minister.
	3. Awaiting the decision, adjourned to 28.12.2018 with
	liberty to circulate before due date, if occasion arises.
	Sd/-
	(A.H. Joshi, J ) () Chairman
	Sba

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

Tribunal's orders

Date:- 25.09.2018

O.A.No.806 of 2018

... Applicant

V.M. Nawale

Vs.

The State of Maharashtra & Ors .... Respondents

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Heard for some time. What is transpired is as follows:-

- (a) Admittedly Applicant had completed statutory tenure.
- (b) Applicant was due for transfer.
- (c) Applicant had requested for retention at Mumbai or transfer him at Aurangabad.
- (d) The Competent Authority has power to transfer the Applicant or decline the choice of the Applicant.

3. During hearing, it has transpired that the allegations are malafide and are difficult to prove as much easy those are to make.

4. At this stage, the learned Advocate for the Applicant has taken instructions from the Applicant and states that Applicant would elect to withdraw the O.A. and prefer to pursue the representation made by him against the order of transfer before the Government.

5. It shall suffice to note that let the Applicant's request for posting at Aurangabad be considered as and when the occasion to fill in the vacancy on the post of Deputy Director at Aurangabad is to be filled in.

With directions as contained in foregoing para,
 Original Application is disposed of as withdrawn.

Sd/-(A.H. Joshi, J. )<sup>1</sup> Chairman

Sba

### G.C.P.) J 2260 (A) (50,000–2-2015) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMPAT

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	MUMBA	$\boldsymbol{J}$		
Original Application No.	»f 20		DISTRICT	
				Applicant/
Advocate	1			<b>1</b>
	)			
	versus			
The Stat	• of Maharash	itra and others	3	
Presenting Officer				Respondent/a
	• • • • • • • • • • • • • • • • • • • •	)		
Office Notes, Office Memoranda of Coram,				
Appearance, Tribunal's orders or directions and Registrar's orders		Tribur	al's orders	
	Date:- 25.09	.2018		
	<u>C.A</u>	.No.27 of 2018 in	0.A.No.1033	of 2016
	5.B. Tokare 8	& Ors.		Applicants
				Applicants
	Vs. The State of	Maharashtra & (	Drs	Respondents
	1. Heard	Shri K. P. Jacoble	the leave of t	Altor and a state
		l Shri K.R. Jagdale		
		d Ms. N.G. Go	nad, the lear	ned Presenting
		e Respondents.		
	2. Today	when the case	was called ou	t, the Assistant
	Conservator o	of Forest Shri K.N	1. Dabholkar w	/as present. He
	was asked to	ascertain availa	ability of legal	adviser of the
	Forest Depar	tment for Bori	wali Ntional	Park who has
	written the re	ply dated 9.3.201	18.	
	3. The O	fficer agreed th	nat the legal	adviser would
		it as and when w		
			in be caned.	
	4. S.O. to	o 27.9.2018 fo	r appearance	of Shri K.M.
	Dabholkar as v	vell as the legal a	dviser Shri Dhi	raj U. Mirajkar.
			7	
				$\mathbf{X}_{\mathbf{i}}$
			Sd	/-
			(A.H. Jos	
			Chairm	
· · · ·	Sba			
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Office Notes. Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

#### 25.09.2018

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### O.A No 394/2018

Shri S.B Rathod & Ors ... Applicants Vs.

The State of Maharashtra & Ors .... Respondents

1. Heard Shri K.R Jagdale with Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. O.A was taken up for hearing.

3. It is an admitted fact that:-

- The judgment of Hon'ble High Court in W.P 2797/2015 and accompanying Writ Petitions is challenged before Hon'ble Supreme Court.
- (b) Hon'ble Supreme Court has heard the SLP and has reserved the order.

4. Therefore, going by propriety, hearing of O.A deserves to be deferred.

5. Learned Advocate for applicant prays for leave to add affected candidates as Respondents and prays that Learned C.P.O be directed to furnish list thereof.

6. Learned C.P.O undertakes immediately to furnish to the applicants list of 184 candidates (who according to applicants are wrongly retained in training despite the judgment in W.P no 2797/2015 and other Writ Petitions).

7. Notice of this Tribunal to the added Respondents is made returnable on 28.9.2018.

8. Added Respondents be served through Head of P.T.S concerned.

9. S.O to 28.9.2018.

10. Steno copy and Hamdast is granted. Learned C.P.O is directed to communicate this order to the Respondents.

(P.N Dixit) Member (A) (A.H Joshi, J.) Chairman

Sd/-

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### ISPL MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No:

of 20

# FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

### 25.09.2018

### M.A 472/2018 in O.A No 394/2018

Shri S.B Rathod & Ors ... Applicants Vs.

The State of Maharashtra & Ors .... Respondents

1. Heard Shri K.R Jagdale with Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. S.O to 28.9.2018.

(P.N Dixit) Member (A)

Sd/-

(A.H Joshi, J.)) Chairman

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Original Application No.     of 20     Distruct     Appl       (Advocate			ta de la composición de la composición de la composición de la composición de la composición de la composición La composición de la c			
Advocate	Original Application No.	of 20	D	ISTRICT		
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The State of Maharashtra and others         Presenting Officer	Advocate	)				
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Office Notes, Office Memoranda of Corsm, Appearance, Tribunal's orders or directions and Registrar's orders       Tribunal's orders         Date:- 25.09.2018       D.A.No.718 of 2018         D.S. Gavit       Applicant         Vs.       The State of Maharashtra & Ors       Respondents         1.       Heard Smt. Punam Mahajan, the learned Advoce for the Applicant and Ms. S.P. Manchekar, the learned CH Presenting Officer for the Respondents.         2.       S.O. to 5.10.2018.         Scl/- (A.H. Joshi, J <sup>n</sup> ) ( Chairman				Resp	ono	
Appearance, Tribunal's orders or directions and Registrar's orders       Tribunal's orders         Date:- 25.09.2018       O.A.No.718 of 2018         D.S. Gavit       Applicant         Vs.       The State of Maharashtra & Ors       Respondents         1.       Heard Smt. Punam Mahajan, the learned Advoct for the Applicant and Ms. S.P. Manchekar, the learned CH Presenting Officer for the Respondents.         2.       S.O. to 5.10.2018.       Sd/- (A.H. Joshi, J <sup>n</sup> ) Chairman	Presenting Officer	· · · · · · · · · · · · · · · · · · ·	.)	•		
directions and Registrar's orders     Date: 25.09.2018       O.A.No.718 of 2018       D.S. Gavit       Vs.       The State of Maharashtra & Ors       Respondents       1.       Heard Smt. Punam Mahajan, the learned Advoct for the Applicant and Ms. S.P. Manchekar, the learned Chersenting Officer for the Respondents.       2.     S.O. to 5.10.2018.       Sd/-       (A.H. Joshi, J*) [       Chairman	Office Notes. Office Memoranda of Coram,					
Date:- 25.09.2018 O.A.No.718 of 2018 D.S. Gavit Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Smt: Punam Mahajan, the learned Advoc for the Applicant and Ms. S.P. Manchekar, the learned Cl Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>n</sup> ) [ Chairman	Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's (	orders		
<ul> <li>D.S. Gavit Applicant</li> <li>Vs.</li> <li>The State of Maharashtra &amp; Ors Respondents</li> <li>1. Heard Smt: Punam Mahajan, the learned Advoct for the Applicant and Ms. S.P. Manchekar, the learned Cher Presenting Officer for the Respondents.</li> <li>2. S.O. to 5.10.2018.</li> <li>Sd/- (A.H. Joshi, J<sup>n</sup>) (Chairman</li> </ul>		Date:- 25.09.2018				
Vs. The State of Maharashtra & Ors Respondents 1. Heard Smt. Punam Mahajan, the learned Advoc for the Applicant and Ms. S.P. Manchekar, the learned Ch Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>a</sup> ) ( Chairman			O.A.No.718 of	2018		
Vs. The State of Maharashtra & Ors Respondents 1. Heard Smt. Punam Mahajan, the learned Advoc for the Applicant and Ms. S.P. Manchekar, the learned Ch Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>a</sup> ) ( Chairman		D.S. Gavit		Applicant		
The State of Maharashtra & Ors       Respondents         1.       Heard Smt. Punam Mahajan, the learned Advoct for the Applicant and Ms. S.P. Manchekar, the learned Cheresenting Officer for the Respondents.         2.       S.O. to 5.10.2018.         Sd/- (A.H. Joshi, J <sup>a</sup> ) Chairman						
<ol> <li>Heard Smt. Punam Mahajan, the learned Advoct for the Applicant and Ms. S.P. Manchekar, the learned Ch Presenting Officer for the Respondents.</li> <li>S.O. to 5.10.2018.</li> <li>S.d/- (A.H. Joshi, J<sup>a</sup>) (Chairman</li> </ol>			rashtra & Ors	Respondents		
for the Applicant and Ms. S.P. Manchekar, the learned Ch Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>a</sup> ) Chairman						
for the Applicant and Ms. S.P. Manchekar, the learned Ch Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>a</sup> ) Chairman		1. Heard Smt.	Punam Mahaja	in, the learned Ad	voca	
Presenting Officer for the Respondents. 2. S.O. to 5.10.2018. Sd/- (A.H. Joshi, J <sup>a</sup> ) Chairman						
Sd/- (A.H. Joshi, J <sup>4</sup> ) Chairman						
Sd/- (A.H. Joshi, J <sup>4</sup> ) Chairman		2. S.O. to 5.10	2018	0		
(A.H. Joshi, J <sup>4</sup> ) Chairman				X		
(A.H. Joshi, J <sup>4</sup> ) Chairman				·		
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			<b>-</b>	(A.H. Joshi, J)		
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	ADMINISTRATIVE TRIBUNAL MUMBAI
Driginal Application No.	of 20 DISTRICT
	Applic 2 it
Advo:ate	
Auvo ale	)
	versus
The State	of Maharashtra and others
	Porman de 14
Presenting Officer	Respondent/
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Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	D-4 25 00 2010
	Date:- 25.09.2018
	O.A.No.493 of 2018
	Dr. T.G. Kulkarni Appli :ar t
	Vs.
٤	The State of Maharashtra & Ors Respondents
· · · ·	
	1. Heard Ms. L. Patne, the learned dvocat for the
	Applicant and Shri K.B. Bhise, the learned resentir g Officer
	for the Respondents.
	2. By consent adjourned to 10.12.2018 with liberty to
	circulate before due date if occasion arises.
	· · · · · · · · · · · · · · · · · · ·
	Sd/-
	(A.H. oshi, J) (
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(G.C.P.) J 2260 (A) (50.000-2-2015)

### ISpl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

Original Application No.	ot	f 20			Dı	STRICT	
							Applicant/s
(Advocate			)				
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(Presenting Officer	·····			)			·
Office Notes, Office Memoranda Appearance, Tribunal's orde directians and Registrar's a	ers or			Trib	unal's or	rders	<u> </u>
		Date	:- 25.09.2	2018			· · ·
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		P.S. F	Pawar			Applicant	;
			Vs. State of N	laharashtra 8	& Ors	Res vonde	nts
· .		for th	cant, Shri ne Respo	A.J. Chougul	le, the le & 2 and	earner Acivo arned Prissen Smt. Prinam adent No.3.	ting Officer
		2.	Interim	relief to con	tinue till	next de le.	
		3.	S.O. to	5.10.2018.		) )	
						, Sd/-	
						(A.H. Joshi, Chairman	r. 7
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