

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.1063 of 2017

DISTRICT: PUNE

Shri Dashrath G. Pawar,)
R/at. G-1/704, Gangadham, Phase-2,)
Market Yard, Pune - 411 037.)..... **Applicant**

Versus

1. The State of Maharashtra, through)
Secretary, Rural Development and Water)
Conservation Deptt. Mantralaya, Mum. 32)
2. Divisional Commissioner, Amravati)
Division, By-pass Road, Camp,)
Amravati 444 602.)
3. Chief Executive Officer, Yavatmal Zilla)
Parishad, Yavatmal.)
4. Accountant General (A & E), 101,)
Maharashi Karve Road, Mumbai 400 020.)
5. District Treasury Officer, Pune.).....**Respondents**

Shri C. T. Chandratre, the learned Advocate for the Applicant.

Smt. Archana B. K., the learned Chief Presenting Officer for the Respondents.

CORAM : SHRI P. N. DIXIT, MEMBER (A)

DELIVERED ON : 26.06.2018

ORDER

1. Heard Shri C. T. Chandratre, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant points out that the Petitioner who has retired on 28.02.2011 was not paid the DCRG amount of Rs.4,29,930/-. The Petitioner had approached this Tribunal through O.A.No.60 of 2013 and it was decided on 29.07.2013 in his favour. The Respondent was directed to release all the pensionary benefits due to the Petitioner. Subsequently, the Petitioner moved this Tribunal by O.A.No.1073/2014 praying for setting aside the order of recovery of amount of Rs.1,75,400/-. Pertaining to the same incident in which the departmental enquiry was quashed and set aside by this Tribunal. The Tribunal, therefore, directed the Respondents to release the Petitioner from the liability of recovery of Rs.1,75,400/-.

3. Learned Advocate for the Applicant states that the entire amount of gratuity of Rs.4,29,930/- has been paid to him on 07.06.2014. He, therefore, prays that the interest on Rs.4,29,930/- for the period from 01.04.2011 to 06.06.2014 should be paid to the Petitioner as per Rule 129(a) of MCS (Pension) Rule, 1982 which reads as under:-

“129(A).Interest on delayed payment of gratuity:

(1) If the payment of gratuity has been authorized after three months from the date when its payment become due and it is clearly established that the delay in payment was attributable to administrative lapse, interest at the following rate on the amount of gratuity in respect of the period beyond three months shall be paid:

- | | |
|-----------------------------------|---------------|
| <i>(i) beyond 3 months and up</i> | <i>7% per</i> |
| <i>to one year</i> | <i>annum</i> |
| <i>(ii) beyond one year</i> | <i>10%</i> |
| | <i>per</i> |
| | <i>annum</i> |

(Provided that no interest shall be payable if the delay in payment of gratuity was attributable to the failure on the part of the Government servant to comply with the procedure laid down in this Chapter :

Provided further that no interest shall be payable in the case in which a provisional gratuity is sanctioned).”

4. Learned Advocate for the Applicant contends that though he was due to get the gratuity amount immediately after retirement, the same was not paid and he was compelled to approach this Tribunal to obtain the same.

5. Learned P.O. for the Respondents states that as mentioned in Para No.21 of the Affidavit-in-Reply, the delay was caused because No Dues Certificate, where the Petitioner has worked had not been received. She, therefore, states that the Petitioner is not entitled for the interest as claimed.

6. Learned P.O. further states that as mentioned in Para 16 of the Affidavit (Page 67), the Petitioner was in charge of the department and suppressed the material fact regarding non submission of "No Dues Certificate". This resulted in delay in finalizing his pension case.

7. Learned Advocate for the Applicant refutes the contention and states that his pension papers were forwarded by the Chief Executive Officer. He, further, mentioned that the Petitioner was not the Head of the Department but was subordinate and was working as Additional Chief Executive Officer. Therefore, the contention of the learned P.O. is not proper. Secondly, the Petitioner cannot be held responsible in obtaining 'No Dues Certificate' late, as it was the responsibility of the office.

8. In view of the forgoing, it appears that the Respondents have not applied their mind to the case properly and delayed the payment of gratuity as mentioned above. Therefore, the Rule 129 (A) of MCS (Pension) Rule, 1982 becomes applicable in the present matter.

9. The Respondents are, therefore, directed to comply with the Rule 129 (A) in view of the observations stated above within two months.

10. In view of the above, the Original Application is allowed.

Sd/-

(P.N. DIXIT)
MEMBER (A)

**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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Ghise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. so to M.A. is allowed.</p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>M. A. 311 of 2018 in O. A. No.421 of 2018</p> <p>M. Y. PhalkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. V. Bandiwadkar, the learned Advocate for the Applicant and Shri K. B. Ghise, the learned Presenting Officer for the Respondents.</p> <p>2. For the reasons stated in the application, the Misc. Application is allowed accordingly.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadekar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S. Suryawanshi</u> C.F.O/P.O. for the Respondents</p> <p>Adj./S.O. to <u>5/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.420 of 2018</p> <p>L.S. MohanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant requests for one week adjournment.</p> <p>3. S.O. to 05.07.2018.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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directions and Registrar's orders

Tribunal's orders

Date : 26.06.2018

M. A. No. 310 of 2018 in O. A. No.420 of 2018

L.S. Mohan

....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. For the reasons stated in the application, the Misc. Application is allowed accordingly.

Sd/-

(P.N. DIXIT)
MEMBER (A)

DATE 26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar VSM

Advocate for the Applicant

Shri/Smt. Ms. S. Suryawanshi

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

Adj. S.O. to M.A. is allowed.

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<p>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>D.B. Khaire</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>5/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.419 of 2018</p> <p>V. G. KoyandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D. B. Khaire, the learned Advocate for the Applicant and Shri N. K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks one week's time to file Affidavit-in-Reply on the basis of parawise remarks received.</p> <p>3. S.O. to 05.07.2018.</p> <p>Sd/- (P.N/DIXIT) MEMBER (A)</p> <p>VSM</p>

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<p>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>4/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.526 of 2017</p> <p>Dr. S. M. PardeshiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks one week's adjournment.</p> <p>3. Even if no one is present on behalf of the Respondents on the next date, learned P.O. assures that she will proceed with the matter.</p> <p>4. S.O. to 04.07.2018.</p> <p>Sd/- <i>[Signature]</i> (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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<p>DATE <u>26/6/18</u></p> <p>CORAM</p> <p>Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:</p> <p>Smt. Applicant No. 13 Present in person. Attocate for the Applicant</p> <p>Smt. Archana B.K. P.O. for the Respondent/s</p> <p>Adj.S.O. to <u>6/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.194 of 2017</p> <p>I. M. Pathan & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant No.13 present in person. Heard Smt. Archana B. K., the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. produces a document on record. The same is marked as 'X' for identification. The document produced by the learned P.O. includes the names of the Petitioners for consideration as prayed by them.</p> <p>3. Learned P.O. for the Respondents states that the copy of the same has been provided to the Petitioners.</p> <p>4. Applicant No.13 who is present in person requests for adjournment.</p> <p>5. S.O. to 06.07.2018.</p> <p>Sd/- <i>[Signature]</i> (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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<p>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>A.R. Joshi</u> Advocate for the Applicant</p> <p><u>Shri/Smt. Ms. S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>4/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>M.A. No. 361 of 2017 in O. A. No.792 of 2017</p> <p>R.R. AjgaonkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. R. Joshi, the learned Advocate for the Applicant and Ms S. P.Manchekar, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant requests for one week's time to produce citations.</p> <p>3. S.O. to 04.07.2018.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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<p>DATE <u>26/6/18</u></p> <p>CORAM</p> <p>Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. Name <u>Rohit</u> the applicant.</p> <p>Advocate for the Applicant _____</p> <p>Shri/Smt. Name <u>N.K. Rajpurohit</u></p> <p>C.P.O. P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.431 of 2018</p> <p>Dr. B. D. SarangkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Shri N.K.Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks three weeks time to file Affidavit-in-Reply regarding payment of interest on delayed payment.</p> <p>3. S.O. to 24.07.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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Date : 26.06.2018

O. A. No.522 of 2018

P.S. SonawaneApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri C. T. Chandratre holding for Smt.Punam Mahajan, the learned Advocate for the Applicant and Ms N. G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents requests for one week's time to file Affidavit-in-Reply.

3. S.O.to 03.07.2018.

DATE 26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. C.T. Chandratre
holding for Punam Mahajan
Advocate for the Applicant

~~Shri/Smt. Ms. N.G. Gohad~~
~~C.P.O./P.O. for the Respondent/s~~

Adj./S.O. to 3/7/18

VSM

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> holding for <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s <u>O.A. is admitted.</u></p> <p>Adj./S.O. to <u>17/7/18</u> Reply filed by <u>[Signature]</u> A. No. 1 to 4.</p>	<p>Date : 26.06.2018</p> <p>O. A. No.244 of 2018</p> <p>R. M. BahuleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C. T. Chandratre holding for Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri N. K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has filed Affidavit-in-Reply. The same is taken on record.</p> <p>3. Learned Advocate for the Applicant requests for three weeks time.</p> <p>4. Matter is admitted and kept for final hearing on 17.07.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET NO.

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<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member)-A</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>6/9/18</u></p>	<p>Date : 26.06.2018</p> <p>O. A. No.364 of 2017 with O.A.365 of 2017</p> <p>S. G. Warkhede & Anr.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C. T. Chandratre, the learned Advocate for the Applicants and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicants has submitted a copy of the communication from the Respondent No.2 in which the Respondent has withdrawn the earlier punishment of other co-delinquent. The same is marked as 'X' and taken on record. He, therefore, requests that his prayer in Para No.10 for interim relief may be addressed by the competent authority and this should be treated as final prayer as well.</p> <p>3. At the instructions of the Applicant, learned Advocate submits that his representation may be decided on priority.</p> <p>4. Learned P.O. for the Respondent states that the prayer made by the Applicant would be looked into on merits.</p> <p>5. Learned Advocate for the Applicants requests to adjourn the matter for two months so that the Respondent may look into it in the intervening period.</p> <p>6. S.O. to 06.09.2018.</p> <p style="text-align: right;">Sd/- (P.N. DIXIT) MEMBER (A)</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>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>P.M. Kolge</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>6/7/18</u></p> <p><i>(Signature)</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.1063 of 2015</p> <p>C.V. AlsatvarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R. M. Kolge holding for the Applicant and Shri N. K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>2. Leave note of the learned Advocate for the Applicant is on record.</p> <p>3. S.O. to 06.07.2018.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</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>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>No. one for the Applicant</u> Advocate for the Applicant <u>(Pranav Mahajan)</u></p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>3/7/18</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.307 of 2017</p> <p>S. B. IngaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Smt. Archana B. K., the learned Presenting Officer for the Respondents.</p> <p>2. Leave Note of the learned Advocate for the Applicant is on record.</p> <p>3. S.O. to 03.07.2018.</p> <p>Sd/- (P.N. DIXIT) MEMBER (A)</p> <p>VSM</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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. Applicant <i>Leave noted</i> Advocate for the Applicant <i>Punam Mehra</i></p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.C/P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>3/7/18</u></p> <p><i>@107</i></p>	<p>Date : 26.06.2018</p> <p>O. A. No.151 of 2017</p> <p>R. C. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Smt. Archana B. K., the learned Presenting Officer for the Respondents.</p> <p>2. Leave Note of the learned Advocate for the Applicant is on record.</p> <p>3. S.O. to 03.07.2018.</p> <p>Sd/- _____ (P.N. DIXIT) MEMBER (A)</p> <p>VSM</p>

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

Tribunal's orders

Date : 26.06.2018.

O.A.No.529 of 2018

D.L. BardeApplicant.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri C.T. Chandratre, the learned Advocate holding for Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Smt. Punam Mahajan, the learned Advocate for the Applicant is on leave.

3. Issue notice before admission returnable on 12.07.2018.

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

5. 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.

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. 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. S.O. to 12.07.2018.

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

prk

DATE : 26/6/18

CORAM :

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

Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri/Smt. C. T. Chandratre the
Ld. Adv. holding for Adv. Ms. P. Mahajan
Advocate for the Applicant

Shri/Smt. S. P. Manchekar

C.I. P.O. for the Respondents

Adj/S.O. to Issue notice
before admission returnable
on 12/7/2018

BTE

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.176 of 2018

Dr. Shruti Dhale) **....Applicant**

Versus

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

Shri A. A. Desai, Advocate for Applicant.

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

CORAM : SHRI P. N. DIXIT, MEMBER (A)

DATE : 26.06.2018

ORDER

1. Heard Shri A. A. Desai, the learned Advocate for the Applicant and Shri N. K. Rajpurohit, the learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant cites a judgment of the Hon'ble High Court. The same is taken on record. He, there from quotes relevant paragraph from the judgment referred above, which reads as under :-

"5. A provision for transfer is intended to check creation of vested interest, nepotism and corruption. It is true that nobody has a right to say that he cannot be transferred without his consent. However, like any other Executive or administrative power, the power of transfer must be exercised in good faith and as per the guide lines laid down in that behalf. The Government is bound by its own policy decision and must enforce it faithfully. While implementing the policy it cannot pick and choose. It is equally true that such executive instructions of a policy decision cannot confer any enforceable legal right nor an order issued in breath of it, will become per se illegal. These instructions could be directory in nature. There could be exceptions to the general rule due to exigencies of service or due to some administrative reasons, but the exception cannot be permitted to become a rule. It is equally well settled that Courts should not interfere with the orders of transfers, which are issued in the exigencies of service and in discharge of administrative or executive power. However, if the order is issued is mala fide or in colourable exercise of power then the Court is bound to interfere, since the

mala fide exercise of power is not considered to be legal exercise of power. Once a policy is laid down by the Government it must apply equally to every employee. In this context a reference could usefully be made to the observations of the Supreme Court in E. P. Royappa v. State of Tamil Nadu and Others. [1974-I L.L.J. 172] which reads as under :-

'Art. 16 embodies the fundamental guarantee that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. Though enacted as a distinct and independent fundamental right because of its great importance as a principle ensuring equality of opportunity in public employment which is so vital to the building up of the new classless egalitarian society envisaged in the Constitution, Art.16 is only an instance of the application of the concept of equality enshrined in Art.14. In other words, Art.14 is the genus while Art.16 is a species. Art.16 gives effect to the doctrine of equality in all matters relating to public employment. The basic principle which therefore, informs both Arts. 14 and 16 is equality and inhibition against discrimination. Now, what is the content and reach of this great equalising principle ? It is a founding faith, to use the words of Bose, J., 'a way of life' and it must not be subjected to a narrow pedantic or lexicographic approach. We cannot countenance any attempt to truncate its all embracing scope and meaning, for to do so would be to violate its activist magnitude. Equality is a dynamic concept with many aspects and dimensions and it cannot be 'cribbed, cabined and confined' within traditional and doctrinaire limits. From a positivistic point of view, equality is antithetic to arbitrariness. In fact equality and arbitrariness are sworn enemies, one belongs to the rule of law in a republic while the other, to the whim and caprice of an absolute monarch. Where an act is arbitrary, it is implicit in it that it is unequal both according to political logic and constitutional law and is therefore violative of Art.14, and if it effects any matter relating to public employment, it is also violative of Art.16. Arts. 14 and 16 strike at arbitrariness in State action and ensure fairness and equality of treatment. They require that State action must be based on valid relevant principles applicable alike to all similarly situate and it must not be guided by any extraneous or irrelevant considerations because that would be denial of equality. Where the operative reason for State action, as distinguished from motive inducing from the antechamber of the mind, is not legitimate and relevant but is extraneous and outside the area of permissible consideration. It would amount to mala fide exercise of power and that is hit by Arts. 14 and 16. Mala fide exercise of power and arbitrariness and different lethal radiations emanating from the same vice, in fact the latter comprehends the former. Both are inhibited by Arts. 14 and 16.'

These observations of the Supreme Court equally apply to the policy regarding the transfers of public servants. It is an accepted principle that in public

service transfer is an incident of service. It is also an implied condition of service and appointing authority has a wide discretion in the matter. The Government is the best judge to decide how to distribute and utilise the services of its employees. However this power must be exercised honestly, bona fide and reasonably. It should be exercised in public interest. If the exercise of power is based on extraneous considerations or for achieving an alien purpose or an oblique motive it would amount to mala fide and colourable exercise of power. Frequent transfers, without sufficient reasons to justify such transfers, cannot, but be held as mala fide. A transfer is mala fide when it is made not for professed purpose, such as in normal course of in public or administrative interest or in the exigencies of service but for other purpose, than is to accommodate another person for undisclosed reasons. It is the basic principle of rule of law and good administration, that even administrative actions should be just and fair. Frequent unscheduled and unreasonable transfer can uproot a family, cause irreparable harm to the employee and drive him to desperation. It disrupts the education of the children and leads to numerous other inconvenience and problems and results in hardship and demoralisation. Therefore, the policy of transfer should be reasonable and fair and should apply to everybody equally. It cannot be forgotten that so far as superior or more responsible posts are concerned, continued posting at one station or in one department of the Government is not conducive to good administration. It creates vested interests. That is why we find that even from the time of British Rule the general policy has been to restrict the period of posting for a definite period. The position of Class III and Class IV employees is somewhat different. Therefore taking into consideration this salient feature of a good, efficient and smooth administration, the Government rightly decided to lay down general policy in relation to transfers. It has also specified the procedure for the same. Such a policy is helpful to streamline the administration. An accommodation on personal grounds for a short period of one year or so, can very well be appreciated but an employee who avoided normal transfers or manoeuvres to get it cancelled can safely be styled as an employee who is not willing to serve anywhere in the State, which is one of the essential conditions of service. Dr. Patil respondent No. 4 is a glaring example, of this. He wanted to stick to Bhusawal only. In case of such an employee, the Government will be well advised to take a note of this in his confidential service records, since this circumstance is relevant for deciding the question of his promotion etc. Such a rule will also help to check unwanted and unwarranted interference in the administration. We are constrained to make these observations since this Court is flooded with writ petitions wherein allegations of mala fides, nepotism and political interference are made in the matters of transfers. It is no doubt true that the allegations of mala fides, are often more easily made than proved and it is easy to make such allegations but difficult to prove. But it cannot be forgotten that when Government departs from its avowed policy, and issues orders of transfer or its cancellation in an unusual manner, then people get an

opportunity to make allegations of mala fides. We feel that this all can very well be avoided if an uniform policy is laid down and scrupulously followed. The case in hand is a telling example of flagrant abuse of power. In our opinion it is now high time, that the Chief of the Administrative machinery should personally took into the matter and stop this abuse of power.

3. Learned Advocate for the Applicant states that other medical officers who were transferred along with the Petitioner have been reversed. He, therefore, requests that the order issued in respect of the Petitioner should be strictly followed as per Section 4(4) and 4(5) of the Transfer Act. He contends that no prior approval has been obtained from the next superior authority.

4. According to the learned Advocate for the Petitioner, Affidavit-in-Reply does not state that the approval was obtained prior to the order issued. He draws attention to the colleague of the Petitioner namely Subhash Walinjkar who has been granted a date of seniority as 12.03.2010 and due to retire on 31.12.2019 (Exb. 'D', page 16). However, he states that the Applicant who is at Sr. No.15 at page 18, Exb. 'D' has been granted date of seniority as 03.06.2015 and due to retire on 31.12.2039. Learned Advocate for the Applicant, therefore, contends that Dr. Walinjkar being senior has remained at Mumbai for more number of years. He should have been considered for transfer rather than the Petitioner. He, therefore, submits that the order is vitiated and malafide. It is on the basis of pick and choose policy. In addition, he submits that the Applicant should have been considered sympathetically in view of the medical ground of her daughter.

5. Learned P.O. for the Respondents requests for adjournment.

6. S.O. to 28.06.2018.

Sd/-

(P.N. DIXIT)
MEMBER (A)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.270 OF 2018
WITH
ORIGINAL APPLICATION NO.271 OF 2018

D.P. Nagare (O.A.270/2018)
P.M. Patankar (O.A.271/2018)

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri K.R. Jagdale, the learned Advocate for the Applicants.

Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 26.06.2018

ORDER

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents Ms. S. Suryawanshi states as follows :-
Reply to the particular question specified by this Tribunal in paragraph 2 of the order dated 13.04.2018 is filed.
3. This Tribunal is of the view that entire O.A. as well needs to be replied.
4. Issue notice before admission returnable on 07.08.2018.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. 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 Original Applications. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternative 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. Applicants are directed to file Affidavit of compliance and notice.

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

10. S.O. to 07.08.2018.



Sd/-

(A.H. Joshi, P.)
Chairman

prk

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>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: M.B. Kadam, the Ld. holding for Dr. Gunratam Sadavarte Advocate for the Applicant S.P. Manchekar Adv. S.S. Dere for Res. 9, 10 & 11. Adj. S.O. to _____ 1/8/2018.</p> <p><i>[Handwritten initials]</i></p>	<p>Date : 26.06.2018.</p> <p>O.A.No.320 of 2018 with O.A.No.316 of 2018</p> <p>N.R. Thakur & Ors. (O.A.320/2018) D.S. Kambale & Ors. (O.A.316/2018)Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, the learned Advocate holding for Dr. Gunratam Sadavarte, the learned Advocate for the Applicants, Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents No.1 to 7 and Shri S.S. Dere, the learned Advocate for the Respondents No.9, 10 & 11.</p> <p>2. Learned C.P.O. for the Respondents No.1 to 7 Ms. S.P. Manchekar prays for four week's time.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 01.08.2018.</p> <p style="text-align: right;">Sd/- <i>[Signature]</i> (A.H. Joshi, J) Chairman</p> <p>prk</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.

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<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>V.V. Joshi, the Ld. Adv.</u> Advocate for the Applicant <u>absent.</u></p> <p>Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>3/7/2018</u></p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 26.06.2018.</p> <p style="text-align: center;">O.A.No.335 of 2018</p> <p>D.S. RaghatwanApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Shri V.V. Joshi, the learned Advocate for the Applicant is absent.</p> <p>3. S.O. to 03.07.2018.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J) Chairman</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>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>La. Adv. for the app.</u> <u>Smt. Punam Mahajan is on leave.</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>24/7/2018</u></p> <p style="text-align: right;"><i>Handwritten initials</i></p>	<p>Date : 26.06.2018.</p> <p style="text-align: center;">O.A.No.456 of 2018</p> <p>K.M. Thorat & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Learned Advocate for the Applicants Smt. Punam Mahajan is on leave. 3. Adjourned to 24.07.2018. <p style="text-align: right;">  Sd/- (A.H. Joshi, J.J.) Chairman </p> <p>prk</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>DATE : <u>26/6/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt : <u>A.V. Bandiwadekar</u> Advocate for the Applicant</p> <p>Shri/Smt : <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>6/7/2018</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.06.2018.</p> <p>C.A.No.82 of 2015 in O.A.No.10 of 2009 with M.A.No.520 of 2015 in C.A.No.82 of 2015 in O.A.No.10 of 2009</p> <p>A.K. Pusegaonkar & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents Shri K.B. Bhise prays for a week's time.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 06.07.2018.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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Tribunal's orders

26.06.2018

O.A 853/2017

Shri Bajirao R. Gulve ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None for applicant. Heard Shri A.J Chougule,
learned P.O for the Respondents.

2. Learned P.O prays for a week's time for filing
reply. Time granted.

3. S.O to 19.7.2018.

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. : None for Applicant

Advocate for the Applicant

Shri/Smt. : A.J. Chougule

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

Adj./S.O. to 19/7/2018

Akn

Sd/-

(A.H Joshi, J)
Chairman

[Handwritten signature]

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. _____ of 20____

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>M.B. Kadam</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S. Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>CA is disposed</u> of.</p> <p style="text-align: right;"><i>M.B.</i></p>	<p>Date : 26.06.2018.</p> <p>C.A.No.18 of 2018 in O.A.No.834 of 2017</p> <p>R.T. KaleApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri M.B. Kadam states as follows :-</p> <p>Order is complied with and therefore C.A.No.18/2018 may be disposed of.</p> <p>3. In view of the foregoing, C.A.No.18/2018 is disposed of.</p> <p style="text-align: center;">D Sd/- (A.H. Joshi, J) Chairman</p> <p>prk</p>

**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	Tribunal's orders
<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadekar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>9/7/2018</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 26.06.2018.</p> <p>C.A.No.97 of 2016 in O.A.No.469 of 2012</p> <p>Dr. S.M. Mohrut & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O. for the Respondents Shri K.B. Bhise adjourned to 09.07.2018.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant C.A. 901/16 <u>A. V. Bandiwadkar</u> for the appt. Shri/Smt. <u>S. P. Manchekar</u> (M.A. 373/16) C.P.O.P.O. for the Respondent/s Adj./S.O. to <u>2/8/18</u></p> <p style="text-align: right;">12/2 S.</p>	<p>Date : 26.06.2018.</p> <p>O.A.No.901 of 2016 with M.A.No.373 of 2016</p> <p>R.S. Patil (O.A.901/2016).</p> <p>D.A. Shirodkar (M.A.373/2016)Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant in O.A.No.901/2016, Shri A.V. Bandiwadkar, the learned Advocate for the Applicant in M.A.No.373/2016, Ms. S.P. Manchekar, the Chief learned Presenting Officer for the Respondents and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>2. Let the O.A.No.901/2016 be kept along with M.A.No.373/2016.</p> <p>3. Both matters to come up for hearing on 02.08.2018.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>A.A. Devkhile</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s <u>Ms. B.N. Punlekar the Ld. Adv.</u> Adj./S.O. to <u>holding for Shri N.P.</u> <u>Dalvi the Ld. Adv. for the</u> <u>Respondent (M.P.S.C)</u> <u>Adjourned to 27/7/2018.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 26.06.2018.</p> <p style="text-align: center;">O.A.No.237 of 2018</p> <p>P.D. BadakhApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.A. Devkhile, the learned Advocate for the Applicant, Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents and Ms. B.N. Punlekar, the learned Advocate holding for Shri N.P. Dalvi, the learned Advocate for the Respondent (M.P.S.C).</p> <p>2. Learned Advocate for Respondent Ms. B.N. Punlekar appearing for M.P.S.C. states that affidavit-in-reply of M.P.S.C. would be filed during the course of day and its copy would be given to the learned Advocate for the Applicant Shri A.A. Devkhile.</p> <p>3. Adjourned to 02.07.2018.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J) Chairman</p> <p>prk</p>


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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>26/6/2018</u></p> <p>CHAIRMAN : Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u></p> <p>APPEARANCE: <u>M. D. Lonkar</u> Advocate for the Applicant</p> <p><u>S. Suryawanshi</u> P.O. for the Respondent/s</p> <p>AG. D. D. <u>1/8/2018</u></p> <p><i>M.D.</i></p>	<p>Date : 26.06.2018.</p> <p>O.A.No.194 of 2018</p> <p>S.A. NagvekarApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents Ms. S. Suryawanshi has tendered the affidavit-in-reply. It is taken on record.</p> <p>3. Learned Advocate for the Applicant Shri M.D. Lonkar has prayed for four week's time.</p> <p>4. Time as prayed for is granted.</p> <p>5. S.O. to 01.08.2018.</p> <p style="text-align: right;"> Sd/- (A.H. Joshi/P.) Chairman</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>26/6/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>None for the app.</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>S. Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>31/7/2018.</u></p> <p style="text-align: right;"><i>AKN</i></p>	<p>26.06.2018</p> <p><u>M.A 166/2018 in O.A 141/2018</u></p> <p>Shri S.R Korde & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned P.O prays for four weeks' time for filing reply to M.A as well as O.A. Time granted.</p> <p>3. Adjourned to 31.7.2018.</p> <p style="text-align: right;">Sd/- <i>(A.H Joshi, J.)</i> Chairman</p> <p style="text-align: left;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Tribunal's orders

26.06.2018

O.A 468/2018

Shri S.B Borade ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned C.P.O has tendered copy of communication sent to the applicant which is dated 22.6.2018. Copy is taken on record.
3. Purpose of O.A is accomplished and the same is disposed of with liberty to file fresh O.A.


Sd/-

**(A.H Joshi, Jt)
Chairman**

Akn

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. : None for the App.

Advocate for the Applicant

Shri/Smt. : S.P. Manchekar

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

Adj./S.O. to OA is disposed.



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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Original Application No. _____ of 20 _____

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Tribunal's orders

26.06.2018

O.A 482/2018

Smt R.J Shelke ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned advocate for applicant prays for two weeks' time.

3. S.O to 11.7.2018.

Sd/-

**(A.H Joshi/J.)
Chairman**

Akn

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri B.A. Bandiwadekar

Advocate for the Applicant

Shri S.P. Manchekar

C.P.O for the Respondent/s

Adj./S.O to 11/7/2018

Y.K.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

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FARAD CONTINUATION SHEET NO.

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Original orders

26.06.2018

O.A 38/2018

Smt Vidya H Lonare & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Ms B.N Punalekar, learned for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. This O.A by six applicants. Admittedly all six applicants were serving in Vidarbha. The territorial jurisdiction to entertain O.A would be Nagpur bench of this tribunal.

3. If the applicants wish, they can have the papers returned and file the same at Nagpur within 30 days from collecting the papers. If the papers are not collected within 30 days, the O.A be rejected for want of proper filing.

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. B.N. Punalekar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj./S.O. to The territorial jurisdiction to entertain O.A. would be Nagpur bench of this Tribunal.

Handwritten signature/initials

Sd/-

(A.H Joshi, *Handwritten*)
Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M A /R.A./C.A. No. _____ of 20 _____

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Appearances, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

26.06.2018

O.A 353/2018

Shri S.S Dhumal & Ors ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned C.P.O prays for a weeks' time for filing affidavit in reply. Time granted.
3. S.O to 3.7.2018.

Sd/-

(A.H Joshi, (J.)
Chairman

Attn

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. S.S. Dere

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

C.P.O. for the Respondent/s

Adj. D. 3/7/2018

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Appearance, Tribunal's orders or
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Tribunal's orders

26.06.2018

O.A 1101/2017

Ms Sarika K. Gujale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. Learned P.O states that instructions are received and two weeks' time may be granted for filing reply.

3. It is hoped that while answering O.A, specific answer to para 6.29 must not be skipped.

4. S.O to 19.7.2018.

Sd/-

(A.H Joshi, J.)
Chairman

Akn

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt : B.A Bandiwadekar

Advocate for the Applicant

Shri/Smt : Archana B.K

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

Adj./S.O. to 19/7/2018

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

M.A 481/17 in O.A 1054/2017 with O.A 1054/2017

Shri S.A Suryawanshi ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kedar Lad, learned for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. Issue fresh notice returnable on 20.8.2018

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.

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. S.O to 20.8.2018.

Sd/-

(A.H Joshi, J)
Chairman

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. : Kedar Lad

Advocate for the Applicant

Shri/Smt. : Archana B.K.

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

Adj./S.O. to 20/8/18

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

M.A 254/2018 in M.A 481/17 in O.A 1054/2017

Shri S.A Suryawanshi ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kedar Lad, learned for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. Accepting the reasons contained in the Misc Application to be good and sufficient, M.A is allowed.

3. M.A 481/2017 and O.A 1054/2017 are restored.

Sd/-

(A.H Joshi, J)
Chairman

Akn

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Ld. : Kedar Lad Ld. Adv.

Advocate for the Applicant

Shri/Ld. : Archana B.K

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

Adj. to : MA is allowed.

MA 481/17 & O.A. 1054/17
are restored.

BTE

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

O.A 830/2017

Shri S.D Bhandare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.G Panchal, learned for the applicant and Ms Savita Suryavanshi, learned P.O for the Respondents.

2. Learned P.O prays for two weeks' time to file affidavit in reply.

3. S.O to 19.7.2018.

Sd/-

(A.H Joshi/J.)
Chairman

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. R.G. Panchal

Advocate for the Applicant

Shri/Smt. S. Suryavanshi

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

Adj./S.O. to 19/7/2018

Alm

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

O.A 1096/2017

Shri S.S Kerle ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned for applicant and Ms Savita Suryavanshi, learned P.O for the Respondents.

2. In view of leave note of applicant, adjourned to 12.7.2018

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. : Punam Mahajan Id. Adv.

Advocate for the Applicant

Shri/Smt. : S. Suryavanshi

Advocate for the Respondent/s

Adv/S.O. to 12/7/2018

[Handwritten signature]

[Signature]
Sd/-

(A.H Joshi, J)
Chairman

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

M.A 252/2018 in O.A 424/2018

Shri S.R Mawal ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.B Kadam holding for Dr Gunratan Sadavarte, learned for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned advocate for applicant prays for leave to substitute memo of M.A.

3. Adjourned to 28.6.2018.

Sd/-

(A.H Joshi, J.)
Chairman

Akn

DATE : 26/6/2018

CORAM :

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

APPEARANCE:

Shri/Smt. : M.B. Kadam, Ld. Adv.
holding for adv. Dr. G. Sadavarte
Advocate for the Applicant

Shri/Smt. : S.P. Manchekar
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 28/6/2018.

M.B. Kadam

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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26.06.2018

O.A No. 930, 931 & 932/2017

Shri S.V Chavan & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.V Chavan, applicant in person and Shri N.K Rajpurohit, learned Presenting Officer for the Respondents
2. Shri S.V Chavan, applicant in person, prays for two weeks' time.
3. Adjourned to 26.7.2018

DATE : 26/6/2018

CORAM :

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

APPEARANCE:

Shri/Smt. S.V. Chavan app. in person.
Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit
C.P./V.P.O. for the Respondent/s

Adj./S.O. to 26/7/2018

Handwritten signature
Sd/-

(A.H Joshi, J.)
Chairman

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>S.P. Deshpande</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p><u>Adj. so to O.A. is allowed to be withdrawn and disposed off as such.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A. No.236 of 2018</u></p> <p>A.S. Patil ..Applicant Vs The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.R. Deshpande, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant produces order dated 13.6.2018 releasing the applicant from suspension and reinstating him. The order dated 13.6.2018 is taken on record and marked 'X' for identification.</p> <p>3. Ld. Advocate for the applicant prays for withdrawal of the above OA.</p> <p>4. OA is allowed to be withdrawn and disposed off as such.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p>Shri/Smt. Ms. S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>16/7/18</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A. No.1132 of 2017</u></p> <p>U.V. More: ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant states that since 1.5.2018 the applicant has been granted allowances as requested. However, the earlier bills are yet to be settled.</p> <p>3. Ld. CPO seeks 15 days time to take further instructions in the matter. Ld. CPO to file reply or intimate the progress.</p> <p>4. S.O. to 16.7.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.561 of 2018

D.P. Ahirrao ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri R.G. Panchal, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 24.7.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(P.N Dixit)
Member (A)
26.6.2018

(sgj)

DATE 26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. P. G. Panchal

Advocate for the Applicant

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

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

Adj./S.O. to 24/7/18.



**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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Y.R. Waje</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondents</p> <p>Adj. S.O. to <u>D.A. is withdrawn with aforesaid liberty.</u></p> <p><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.553 of 2018</u></p> <p>B.B. Bagul ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Y.R. Waje, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant states that applicant has not made any representation regarding choice of his posting on promotion. She, therefore, seeks permission to withdraw this OA with liberty to make representation to Dy. Director.</p> <p>3. OA is allowed to be withdrawn with aforesaid liberty.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p>(sgj)</p>

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

Tribunal's orders
O.A. No.555 of 2018

N.P. Shendkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 23.7.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Ld. Advocate for the applicant states that order issued in case of Dr. D.G. Jatnure vide Exhibit A page 13 should not have been done as he had the right to be posted at that place in view of the orders issued by this Tribunal earlier in OA No.904/17 on 27.9.2017. Vide order dated 2.4.2018 OA No.904/17 has been disposed off at the request of the applicant. Ld. PO contested this OA on the basis of Section 19 of the Administrative Tribunal Act, 1985 and states that applicant has no locus standi as his request has already been conceded and applicant is working at Pune.
9. Ld. PO requests for four weeks time to file reply.
10. Issue of interim relief is kept open.

DATE 26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

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

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

Adj./S.O. to 23/7/18

Sd/-

(P.N. Dixit),
Member (A)
26.6.2018

(sgj)

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

Tribunal's orders

O.A. No.566 of 2018

S.T. Shitole ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Issue notice returnable on 16.7.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

DATE 26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj./S.O. to 16/7/18

sgj

(sgj)

Sd/-

(P.N. Dixit)
Member (A)
26.6.2018

**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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.R. Joshi</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>10/7/18</u></p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>O.A. No.951 of 2017</u></p> <p>H.K. Rojopadhye ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.R. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant requests for two weeks time to file rejoinder.</p> <p>3. S.O. to 10.7.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p align="center">(sgj)</p>

**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
<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Leave note Shri/Smt. : <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>N.K. Rajpurohit</u> (sgj) C.P.O./P.O. for the Respondent/s <u>O.A. - cis Admit.</u> Adj./S.O. to <u>24/7/18</u></p>	<p align="center"><u>O.A. No.805 of 2017</u></p> <p>S.A. Kamble ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.</p> <p>2. Smt. Punam Mahajan, learned Advocate for the applicant has filed leave note.</p> <p>3. Admit. Place the above matter for final hearing on 24.7.2018.</p> <p>4. Ld. PO states that the matter is under consideration in the GAD and the same has been stated in the reply. Ld. PO seeks four weeks time.</p> <p>5. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p>

**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	Tribunal's orders
<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <i>None for the Applicant.</i> Advocate for the Applicant</p> <p>Shri/Smt. <i>Archana B.K.</i> C.P.O./P.O. for the Respondent/s <i>O.A. is Admit.</i> Adj./S.O. to <i>7/8/18</i></p>	<p align="center"><u>O.A. No.690 of 2017</u></p> <p>K.G. Dhagate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. None for the Applicant. Ld. PO states that reply is already filed.</p> <p>3. Admit. Place the above matter for final hearing on 7.8.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.564 of 2018

P.B. Mahale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri P.G. Kayande, Ld. Advocate for the Applicant
and Shri K.B. Bhise, Ld. Presenting Officer for the Respondents.

2. Issue notice returnable on 17.7.2018.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.
7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Ld. Advocate for the applicant states that he is joining at the new place but that should not come in his way if the order is cancelled. He also prays that there are vacancies at the place where he had requested and no counseling as per schedule has taken place prior to the issue of transfer order. Joining of applicant will be subject to outcome of this OA. However, if the respondents look into his representation and takes affirmative decision the same may be communicated to the applicant.
9. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

DATE

26/6/18

CORAM

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

APPEARANCE:

Shri/Smt. P.G. Kayande

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj./S.O. to

17/7/18



(sgj)

Sd/-

(P.N. Dixit)
Member (A)
26.6.2018

**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>DATE <u>26/6/18</u></p> <p><u>CORAM</u> Hon'ble Shri P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>A. R. Joshi</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N. K. Rajpurohit</u> C.P.O.P.O. for the Respondent/s <u>O.A. - as Admit.</u></p> <p>Adj./S.O. to</p> <p>Reply filed by R.3. <u>18/7/18</u> Rejoinder filed by Applicant. <u>@m</u></p>	<p align="center"><u>O.A. No.128 of 2018</u></p> <p>S.B. Mane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.R. Joshi, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO files reply on behalf of respondent no.3 and Ld. Advocate for the applicant files rejoinder. The same are taken on record.</p> <p>3. Admit. Place the above matter for final hearing on 18.7.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p align="center">(sgj)</p>

**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
<p>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadaka</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondents</p> <p>Adj./S.O. to <u>28/6/18</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A. No.1090 of 2017</u></p> <p>M.M. Sawant & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. The respondents are directed to remain present positively on the next date. Failure to do so will be viewed seriously and matter will be proceeded.</p> <p>3. S.O. to 28.6.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p align="center">(sgj)</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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>4/7/18</u></p>	<p align="center"><u>O.A. No.518 of 2018</u></p> <p>V.S. Totawar ..Applicant Vs: The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that para wise remarks are received and seeks one week's time to file reply.</p> <p>3. S.O. to 4.7.2018.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p align="center">(sgj)</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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Leave note Shri/Smt. : P. N. Mahajan. Advocate for the Applicant</p> <p>Shri/Smt. : N. K. Rajpurohit C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>7/8/18</u></p>	<p><u>O.A. No.1010 of 2017</u></p> <p>D.N. Salunkhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.</p> <p>2. Smt. Punam Mahajan, learned Advocate for the applicant has filed leave note.</p> <p>3. S.O. to 7.8.2018.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p>(sgj)</p>

**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>DATE <u>26/6/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> holding for <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s No. 1 & 2 M.D. Lonkar for R.No. 3.</p> <p>Adj./S.O. to</p> <p>O.A. is allowed to be withdrawn and disposed off as such.</p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A. No.497 of 2018</u></p> <p>V.H. Shahare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant, Shri K.B. Bhise, learned Presenting Officer for Respondents No.1 & 2 and Shri M.D. Lonkar, learned Advocate for Respondent No.3.</p> <p>2. Learned Advocate for the applicant tenders an application dated 22.6.2018 of the applicant for withdrawal of OA. Application is taken on record and marked 'X' for identification.</p> <p>3. OA is allowed to be withdrawn and disposed off as such.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 26.6.2018</p> <p align="center">(sgj)</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.

1. Fee Notes, Office Memoranda or Orders,
Appearance, Tribunal's orders or
directions and Registrar's orders

2. Tribunal's orders

26.06.2018

M.A 412/2017 in O.A 1090/2016

Shri B.B. Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Smt Punam Mahajan, learned advocate for applicant has filed leave note. Heard Shri A.J Chougule, learned, P.O for the Respondents.

2. At the request of learned P.O adjourned to 27.6.2018.

DATE : 26/6/18

CORAM :

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

APPEARANCE:

Shri/Smt. Punam Mahajan Ld. Adv.
has filed leave note
Advocate for the Applicant

Shri/Smt. A.J. Chougule
C.P.O/P.O. for the Respondent/s

Adj./S.O. to 27/6/2018

Akn

Sd/-

(A.H Joshi, J)
Chairman


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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FINAL CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>26/6/18</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri <u>A.V. Bandiwadker</u> Applicant's Advocate</p> <p>Shri <u>S.P. Manchekar</u> C.P.O. for the Respondent/s</p> <p>Adj./S.C. to <u>27/6/2018</u></p> <p style="text-align: right;"><i>AHJ</i></p>	<p>Date : 26.06.2018.</p> <p style="text-align: center;">O.A.No.264 of 2018</p> <p>B.C. GavitApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents Ms. S.P. Manchekar has tendered affidavit-in-reply on behalf of Respondent No.1 i.e. Director General of Police. It is taken on record.</p> <p>3. The approach exhibited in the affidavit is unwelcomed.</p> <p>4. Learned C.P.O. for the Respondents states that she would like to take instructions as regards corrective measures.</p> <p>5. Adjourned to 27.06.2018.</p> <p style="text-align: right;">  Sd/- (A.H. Joshi, J.) Chairman </p> <p>prk</p>