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

Tribunal's orders

Date : 26.11.2019.

O.A.No.332 of 2017

B. N. Jadhav

....Applicant

Versus

2

The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. in present O.A. Applicant has challenged the impugned order of punishment whereby punishment of 10% reduction in pension permanently is imposed.

3. Shri A. V. Bandiwadekar, learned Counsel for the Applicant submits that the punishment of 10% reduction of pension pertains to Single Bench.

4. Whereby, Shri A. J. Chougule, learned P.O. submits that it is major punishment, and therefore, the matter pertains to Division Bench.

5. There is no clarification in the office order as to whether punishment of permanent reduction in pension fails in the category of minor punishment or major punishment.

6. In so far as minor punishments are concerned those are as follows :-

i	censure	:	

- ii) withholding of promotion;
- iii) recovery from pay of the whole or part of any pecuniary loss caused by employee to Government
- iv) withholding of increments of pay

Above are only minor penaities as per Rule 5(1)of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

7. Whereas in the present case, punishment imposed is 10% permanent reduction of pension which does not fall in Rule 5 (1) of MCS (D & A) Rules, 1979.

8. In view of above, office is directed to examine the matter and place it before appropriate bench.

9. 5.O. to 10, 12.2019.

Sd/-

(A.P. Kurhekar) Member(J)

vsm

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

Tribunal's orders

Date : 26.11.2019.

O.A.No.635 of 2017

S. S. ShivadeApplicant Versus The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. in the present O.A., the Applicant has challenged the impugned order dated 30.06.2017 whereby he was transferred from Paighar to Sindhudurg. The Applicant was promoted (fortuitous promotion) to the post of PSi by order dated 21.01.2016. In order dated 21.01.2016, there was ciear recital that during the period of his fortuitous promotion, he will not be transferred out of district. Despite this, the Applicant was transferred to Sindhudurg.

3. Learned P.O. has pointed out that by order dated 14.06.2018 for promotion which was granted to the Applicant is withdrawn and now he is posted at Palghar itself, and therefore, grievance no more survives. The order dated 14.06.2018 is taken on record and marked as letter 'X' for identification.

4. The Tribunal has already granted interim relief and the Applicant is continued at Palghar. However, during the pendency of O.A., by order dated 14.06.2018 fortuitous promotion granted to the Applicant is withdrawn and he is reverted to the post of ASi and accordingly again posted at Palghar. As such, by order dated 14.06.2018, in view of reversion, the Applicant is posted at Palghar itself. This being the position, challenge# to the O.A. has become infructuous.

• Original Application is, therefore, disposed of with no order as to costs.

Sd/-(A.P. Kurhekar)

Member(J)

vsm

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No.	of 20	DISTRIC	Г
			Applicant/s
(Advocate)		
	versus		
μħ	ne State of Maharasl	atra and others	
11	le State of Manarasi	tha and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Appearance, Tribunal's orders directions and Registrar's or	sor	Tribunal's orders	
	26.1	1.2019	
		<u>M.A 641/2019 in O.A</u>	1121/2019
	Shri S	Sandip K. Bhitade & Ors Vs.	Applicants
	The S	state of Maharashtra & Ors	Respondents
		Heard Shri S.S Dere, le cants and Ms Swati Manch espondents.	
r	2. the is	This Misc Application is sue involved is the same.	filed to sue jointly as
	3. subje	Misc Application to su oct to payment of Court Fee	
		Sd/-	Sd/-
	(A.) Me Akn	P. Kurhekar) mber (J)	(P.N Dixit) Vice-Chairman (A)

Original Application 190.

or ⊿∪

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	5
	26.11.2019	
	<u>O.A nos 229 & 1</u>	121/2019
	Shri G.A Kiture & Others Vs.	Applicants
	The State of Maharashtra & Ors	s Respondents
	1. Heard Shri S.S Dere, le applicants and Ms Swati Mancl the Respondents.	
	2. In both these Original has clarified to the Home De- and sought policy decision in are being agitated before this Tr	partment on 22.7.2019 respect of issues which
	3. Today during hearing that as per instructions receiv required for communicating the	
	4. Learned advocate for the the matter is urgent and pen and therefore request that urge	
-	5. We, therefore, direct the that necessary policy decision the progress regarding th communicated on 12.12.2019.	
	6. S.O to 12.12.2019.	~~~
	Sd/-	Sd/-
	(A.P. Kurhekar) Member (J) Akn	(P.N Dixit) Vice-Chairman (A)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	
			Applicant/s
(Advocate)		
	ve	rsus	
The Sta	te of Mah	arashtra and others	
			Respondent/s
			Respondentis
(Presenting Officer			
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	1,	Tribunal's orders	
		26.11.2019	
		M.A 451/2019 in R.A 15/2019 i with R.A 15/2019 in O.A 404/20	
		The State of Maharashtra & Ors Vs.	Applicants (Ori Respondents)
		Shri V.P Pawar	Respondent (Ori Applicant)
		1. Heard Ms Swati Manchek the applicants (Ori Respondents) Respondent (Ori Applicant)	
		2. On instructions, learned C. State proposes to withdraw the Re therefore, she seeks permission to	eview Application and
		3. Permission granted. In vie M.A and R.A are disposed of.	ew of the above, both
		N Sd/-	Sd/-
		(A.P. Kurhekar) Member (J) Akn	(P.N Dixit) Vice-Chairman (A)
• .			

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No.	of 20	DISTRICT	
			Applicant/s
(Advocate)	
	υ	ersus	
The Sta	ate of Ma	harashtra and others	
			Respondent/s
(Presenting Officer	•••••)	
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	a,	Tribunal's orders	,
		26.11.2019	
		<u>M.A 485/2019 in O.A</u>	677/2019
		Shri H.T Shinde Vs.	Applicant
· · · · · · · · · · · · · · · · · · ·		Vs. The State of Maharashtra & Ors	Respondents
		 None for the applicant Manchekar, learned C.P.O for the At the request of learned 	Respondents.
		5.12.2019.	
		Sd/-	Sd/-
		(A.P. Kurhekar) Member (J)	(P.N Dixit) Vice-Chairman (A)
		Akn	
• · · · ·			

O.A. No.1126 of 2019

S A. Shewale Vs.

 $\mathbf{2}$

.. Applicant

..Respondents

The State of Maharashtra & Ors.

Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2 In the present OA the applicant has prayed to quash the DE initiated against him by the Superintendent of Police (SP) on 10.7.2019. Ld. Advocate for the applicant refers to Rule 3 of the Bombay Police (Punishment & Appeal) Rules, 1986. Rule 3 reads as under:

> "3(1-A)(i) The appointing authority or any authority to which it is subordinate or any other authority empowered by the State Government in this behalf may place, a Police Officer under suspension where-

> > (a) an inquiry into his conduct is contemplated or is pending, or

(b) a complaint against him of any criminal offence is under investigation or trial:

Provided that where the order of suspension is made by an authority lower in rank than the appointing authority, such authority shall forthwith report to the appointing authority the circumstances in which the order of suspension was made."

(Quoted from page 136 of OA)

3. Rule referred by the Ld. Advocate for the applicant pertains to power of suspension and not about initiation of DE. Ld. Advocate for the applicant is therefore directed to satisfy this Tribunal how DE initiated by the SP is without jurisdiction and how he is not competent to initiate DE.

S.O. to 19.12.2019.

(A.P. Kurhekar) Member (J)

26.11.2019

Sd/-

(P.N. Dixit) Vice-Chairman (A) 26.11.2019

Sd/-

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal'	s orders
	Date : 26.11.2019	
	O.A.No.341/ 2019 with O.A.No.352/2019 with	0.A.No.351/2019 with 1 O.A.No.356/2019 with 1 O.A.No.353/2019 with 1 O.A.No.353/2019 with 1 th O.A.No.343/ 2019
	Dr. D.N. Patil (O.A.116/2019) Dr. C.A. Padalkar & Ors. (O.A.3 P.K. Keswani & Ors. (O.A.341/2 A.A. Ambhore & Ors. (O.A.356/ Dr. 5. Undre (O.A.No.352/2019	51/2019) 2019) /2019)
	Dr. I.D. Bhimte (O.A.No.353/20 J.B. Kapadi (O.A.No.381/2019) Dr. V.P. Sarda (O.A.343/2019) Versus	·
	The State of Maharashtra & On	s Respondents
	1. Heard Shri Ujjwal Agai for Shri C. Agarwal, learned O.A.No.116 of 2019, Shri S. Kai Applicant in O.A.No.351 of 2 Advocate for the Applicants in Ms. Vrushali L. Maindad, learne Desai, learned Advocate for the 343 and 381 of 2019, Shri D.B. F Respondents in O.A.Nos.116, 35 Manchekar, learned C.P.O. for t	ushal, learned Advocate for th 1019, Smt. A. Saxena, learne 0.A.Nos.341 and 356 of 2019 of Advocate holding for Shri A.A Applicant in O.A.Nos. 352, 353 Khaire, learned Advocate for th 51 and 356 of 2019 and Ms. S.F
	2. Learned Advocate for t O.A.Nos.341 and 356 of 2019 Applicant Shri S. Kaushal in O. they would like to amend the p 356 of 2019 and seeks adjournm	A.No.351 of 2019 submits tha prayers in O.A.Nos.341, 351 and
	3. Permitted to file M.A. f of O.A.Nos. 341, 351 and 356 of	or amending prayers in respec 2019.
	4. Learned Advocate for the appearing for M.P.S.C. in O.J. submits that the M.P.S.C. has Court against judgment given by O.A.No.1091 of 2015 and the 12.12.219. He, therefore, sub adjourned accordingly.	approached the Hon'ble High y this Tribunal on 08.05.2019 in next hearing in scheduled or
	5. Learned Advocate Ms. V learned Advocate Shri A.A. Desa 381 of 2018 submits that the 17.12.2019.	
	6. Accordingly, adjourned t	to 17.12.2019.
	Sd/-	Sd/- 2
	(A.P. Kurhekar) Member(J)	(P.N. Dixit) Vice-Chairman

[Spl.- MAT-F-2 E. (G.C.P.) J 2959 (A) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

- 1 Application No.	of 20 DISTRICT
ginal Application No.	Applicant/s
lvocate	······································
	versus
The State	e of Maharashtra and others
	Respondent/s
resenting Officer	······)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
directions and Registrar's orders	
	Date : 26.11.2019.
	O.A.No.1000 of 2019
	G. M. KambleApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri A. V. Bandiwadekar, learned Counsel
	for the Applicant and Shri A. J. Chougule, learned
	Presenting Officer for the Respondent Nos.1 and 3, Shri
	M. B. Kadam, learned Counsel for the Respondent No.2.
	2. Today, learned P.O. has filed reply on behalf of
	the Respondent Nos.1 and 3. It is taken on record.
	3. Shri M. B. Kadam, learned Counsel for the
	Respondent No.2 has also filed reply. It is taken on
	record.
	4. Matter is adjourned for hearing at the stage of
	admission.
	5. S.O. to 12.12.2019.
	M
	Sd/-
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	(A.P. Kurhekar)
	Member(J)
	vsm

(G.C.P.) J 2959 (A) (50,000–3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

DISTRICT of 20 Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memorondo of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date : 26.11.2019. D.A.No. 985 of 2019Applicant Dr. S. P. Godbole Versus The State of Maharashtra & Ors.Respondents. Heard Shri K. R. Jagdale, learned Counsel for the 1. Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. Today, learned P.O. has filed reply on behalf of 2. the Respondent No.1. It is taken on record. Respondent No.2 is served but absent. 3. Matter is adjourned for hearing at the stage of 4. admission. S.O. to 18.12.2019. 5. Sd/-(A.P. Kurhekar) Member(J) vsm

ADVIINISTRATIVE TRIBUNAL
ADMINISTRATIVE TRIBUNAL
MUMBAI
f 20 DISTRICT
Applicant/s
,)
versus
of Maharashtra and others
Respondent/s
)
Tribunal's orders
Date : 26.11.2019.
O.A.No.954 of 2019
R. R. GhargeApplicant
Versus
The State of Maharashtra & OrsRespondents.
1. Heard Shri C. T. Chandratre, learned Counsel for
the Applicant and Smt. Archana B. K., learned Presenting
Officer for the Respondents.
2. Today, learned P.O. has filed reply on behalf of
the Respondent No.1. It is taken on record.
3. Two weeks time is granted for filing reply on
behalf of the Respondent Nos.2 to 5, if any. No further
time will be granted.
4. 5.0. to 10.12.2019.
Sd/-
(A.P. Kurhekar)
Member(J)
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(G.C.P.) J 2959 (A) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	versus	
т	he State of Maharashtra	and others

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 26.11.2019.		
	O.A.No.930 of 2019		
	Dr. S. R. Gurav	Applicant	
	Versus		
·			

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

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed reply on behalf of Respondent Nos.1 and 2. It is taken on record.

3. Matter is adjourned for hearing at the stage of admission.

4. \$.0. to 17.12.2019.

Sd/-

..... Respondent/s

(A.P. Kurhekar) Member(J)

vsm

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

Tribunal's orders

Date : 26.11.2019.

O. A. No.1133 of 2019Applicant

A. J. Dange

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 02.01.2020.

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

4. Applicant is authorized and directed to serve on Respondents Intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

8. S.O. to 02.01.2020.

Sd/-

(A.P. Kurhekar) Member(J)

vsm

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

Tribunal's orders

Date : 26.11.2019.

O. A. No.1130 of 2019

K. R. Landge

....Applicant

Versus

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

1. Heard Shri. K.R. Jagdale, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 10.12.2019.

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

4. Applicant is authorized and directed to serve on Respondents Intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunai (Procedure) Rules, 1988, and the questions such as iimitation 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 or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 10.12.2019.

Sd/-

(A.P. Kurhekar) Member(J)

vsm .

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

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

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Original Application No. of 2	DISTRICT
¢ r.B	Applicant/s
(Advocate)
	versus
	Maharashtra and others
The State of	
	Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	Date : 26.11.2019.
	R. A. No.19 of 2010 in O.A.No.817 of 2019
	The State of Maharashtra & OrsApplicants
	(Ori. Respondents)
	Versus
	S. R. KarandeRespondent (ORi. Applicant)
	1. Heard Shri A. J. Chougule, learned Presenting
	Officer for the Applicants (Ori. Respondents) and Shri K.
	Gidh, learned Couns el for the Respondent (Ori.
	Applicant).
	2. Today, learned Counsel for the Respondent
	(Ori. Applicant) has filed reply to R.A. It is taken on
	record.
	3. Matter is adjourned for hearing at the stage of
	admission.
	4. S.O. to 11.12.2019.
	Sd/-
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	(A.P. Kurhekar) Mombor(1)
	vsm

(G.C.P.) J 2959(B) (50,000--3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI .

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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
	<u>O.A. No.1102 of 2019</u>
	 S.V. KhatavkarApplicant Vs. The State of Maharashtra & OrsRespondents Heard Shri S.S. Anees, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. The applicant has sought limited relief of expedition hearing of appeal filed against the order dated 28.10.2014 passed by the disciplinary authority thereby removing him from service. Being aggrieved by the punishment or removal from service the applicant has filed appeal or 5.12.2018. The applicant claims to be physically disabled He was appointed on the post of Peon. In view of the above, the OA can be disposed of with suitable directions. In view of the above, OA is disposed off with direction to the appellate authority to decide the appeal file by the applicant as early as possible latest within six month from today. Order be communicated to the appellate authority. No order as costs. Sd/- Sd/- Xd/- Xd/- Xd/- Xd/- Xd/- Xd/- Xd/- X
	Member (J) Vice-Chairman (A)

and the second second

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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
	<u>O.A. N</u>	0.1044 of 2019
	N.L. Bhangre Vs. The State of Maharashtra &	ApplicantRespondents
		armarkar, learned Advocate for t S. Gaikwad, learned Presenti ts.
	2. At the request of Ld. Advocate for the a adjourned to 10.12.2019.	
	Sd/-	Sd/-
	(A.P. Kurhekar) Member (J) 26.11.2019	(P.N. Dixit) Vice-Chairman (A) 26.11.2019
	(sgj)	

iSpl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

r nm /s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
annan an an ann an ann ann ann ann ann	<u>26.11.2019</u>
	<u>O.A 407/2016</u>
	 Shri S.S Chougule & Others Applicants Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri U.V Bhosle, learned advocate for the applicants, Ms Swati Manchekar, learned P.O for the Respondents and Shri M.D Lonkar, learned Special Counsel for 2. Learned Spl Counsel assisted by Learned C.P.O submits that the State wishes to file sur-rejoinder. At his
	request adjourned to 11.12.2019. Sd/- (P.N Dixit) Vice-Chairman (A)

(Advocate)

..... Applicant/s

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'* orders	
	26.11.2019	
	M.A 640/2019 in O.A 714/2016	
	Shri V.V. Thakur Applicant Vs	
	The State of Maharashtra & Ors Respondents	
	1. Heard Shri A.S Golegaonkar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.	
	2. Issue notice returnable on 11.12.2019.	
	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 11.12.2019.	
	Sd/- ·	
· · · · · · · · · · · · · · · · · · ·	(P.N Dixit) Vice-Chairman (A) ^{4k0}	

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Spl- MAT-F-2 E

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

	* * * *****	
Original Application No.	of 20	District Applicant/s
Advocate	.,Ì	,
		ersus
The Ste	ate of Ma	harashtra and others
		Respondent/s
Presenting Officer	. > • { - • × • • • • • • • • • • • • • • • • •)
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	m,	Tribunal's orders
		26.11.2019
		M.A 639/2019 in O.A 714/2016
		Shri V.V. Thakur Applicant
		Vs. The State of Maharashtra & Ors Respondents
		1. Heard Shri A.S Golegaonkar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.
		2. Issue notice returnable on 11.12.2019.
		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 of 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 11.12.2019.
		Sd/-
		(P.N Dixit) Vice-Chairman (A)
		Akn

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ISpl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

(Advocate	Original Application No.	of 20	District Applicant/s
UPPERSON The State of Maharashtra and others Respondent/s (Presenting Officer Memoranda of Coram, Appearance. Tribunal's orders or directions and Registrar's orders Office Notes, Officer Memoranda of Coram, Appearance. Tribunal's orders Tribunal's orders Office Notes, Officer Memoranda of Coram, Appearance. Tribunal's orders Tribunal's orders Office Notes, Officer Memoranda of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Appearance. Tribunal's orders Office Notes, Officer Memorands of Coram, Tribunal's orders Office Notes, Office Notes, Officer Memorand t			ippicatos
The State of Maharashtra and others Respondent/s Office Nemoranda of Coram, Applicant orders orders Tribunal's orders Office Nemoranda of Coram, Applicant orders orders Office Nemoranda of Coram, Applicant orders Diffice Memoranda of Coram, Applicant orders Diffice Memoranda of Coram, Applicant orders Office Memoranda of Coram, Applicant orders Office Memoranda of Coram, Applicant orders DA 545/2019 Shri W.H Suryawanshi Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. 2. Learned advocate files rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- II. U. View-Chairman (A)	(Advocate)	
(Presenting Officer		versu	\$
(Presenting Officer	The S	State of Mahara	shtra and others
(Presenting Officer			Respondent/s
Appearance. Tribunal's orders directions and Registrar's orders 26.11.2019 O.A 545/2019 Shri W.H Suryawanshi Vs. The State of Maharashtra & Ors I. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. 2. Learned advocate files rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- I. Vice-Chairman (A)	(Presenting Officer		
O.A. 545/2019 Shri W.H. Suryawanshi Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri B.A. Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- J	Appearance. Tribunal's orders or		Tribunal's orders
 Shri W.H Suryawanshi Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. 		<u>26.11</u>	.2019
 Shri W.H Suryawanshi Applicant Vs. The State of Maharashtra & Ors Respondents 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. 			
Vs. The State of Maharashtra & Ors … Respondents 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- (P.N Dixit) Vice-Chairman (A)			
 Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. At her request adjourned to 10.12.2019. Sd/- (P.Ň Dixit) Vice-Chairman (A) 		Shri V	
for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned advocate files rejoinder. Learned P.O seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- (P.N Dixit) Vice-Chairman (A)		The St	ate of Maharashtra & Ors Respondents
seeks time to file rejoinder. 3. At her request adjourned to 10.12.2019. Sd/- (P.N Dixit) Vice-Chairman (A)		for the	applicant and Shri A.J Chougule, learned P.O for
Sd/- (P.N Dixit) Vice-Chairman (A)			
(P.N Dixit) Vice-Chairman (A)		3.	At her request adjourned to 10.12.2019.
			(P.N Dixit)
		Akn	vice-chairman (A)

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MUMBAI

Original Application No.

of 20

DISTRICT

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

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<u>,</u> (4

..... Applicant/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	26.11.2019	
	M.A 638/2019 in O.A 713/2016	
	Shri V.M Thakur Applicant	
	Vs. The State of Maharashtra & Ors Respondents	
	 Heard Shri A.S Golegaonkar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents. 	
	2. Issue notice returnable on 11.12.2019.	
	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 11.12.2019.	
	Sd/-	
	(P.N Dixit) Vice-Chairman (A) Akn	

(Advocate)

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..... Applicant/s

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		
	26.11.2019		
	M.A 637/2019 in O.A 713/2016		
	Shri V.M Thakur Applicant Vs.		
	The State of Maharashtra & Ors Respondents		
	 Heard Shri A.S Golegaonkar, learned advocate for the applicant and Shri S.D Dole, learned P.O for th Respondents. 		
	2. Issue notice returnable on 11.12.2019.		
	3. Tribunal may take the case for final disposal this stage and separate notice for final disposal need r be issued.		
	4. Applicants are authorized and directed to serv Respondents intiination/notice of date of hearing authenticated by Registry, along with complete p book of O.A. Respondents are put to notice that the would be taken up for final disposal at the stag admission hearing.		
	5. This intimation/notice is ordered under Rule 11 the Maharashtra Administrative Tribunal (Procedua Rules, 1988, and the questions such as limitation as alternate remedy are kept open.		
	6. The service may be done by hand delivery/ spe- post/courier and acknowledgement be obtained an produced along with affidavit of compliance in the Registry within one week. Applicants are directed to fa affidavit of compliance and notice.		
	7. In case notice is not collected within 7 days service report on affidavit is not filed 3 days before returnable date, Original Application shall star dismissed without reference and papers be consigned record.		
	8. S.O to 11.12.2019.		
	Sd/		
	(P.N Dixit) Vice-Chairman (A)		
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(Spl. MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

P #1*27//1

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	26.11.2019	
	O.A 960/2019	
	Shri A.E Kerure Applicant	
	Vs. The State of Maharashtrø & Ors Respondents	
	1. Heard Shri S.B Talekar, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondents no 1 & 2, Shri M.D Lonkar, learned advocate for the Respondent no. 4 and Shri Mishra, learned advocate for Respondent uo. 3.	
	2. Learned advocate Shri Lonkar, appearing on behalf of Respondent no. + submits his Vakalatnama and submits that copy of O.A and copy of affidavit including additional documents submitted on 6.11.2019 are yet to be received by him.	
	3. Learned advocate Shri Mishra, suhmits that he is filing Vakalatnama on behalf of Respondent no. 3 and he seeks adjournment for filing reply.	
	4. Learned advocate Shri Talekar submits that he is having acknowledged copy of petition which is served on Respondent no. 4. However, he is ready to provide additional copy to learned advocate for Respondent no. 4 today itself.	
	5. Learned C.P.O seeks one week for filing reply.	
	6. By consent, adjourned to 11.12.2019.	
	Sd/	
	(P.N Dixit) Vice-Chairman (A) Akn	
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Spl- MAT-F-2 E

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	Applicant/s
(Advocate)		
	versus		
Th	e State of Maharasht	ra and others	
			Respondent/s
(Presenting Officer	•••••••••••••••••••••••••••••••••••••••	í	
Office Notes, Office Memoranda of 6 Appearance, Tribunal's orders directions and Registrar's ord	or	Tribunal's orders	
	26.11.20)19	
		O.A 576/201	.6
		Patil & Others Vs. e of Maharashtra & Ors	Applicants Respondents
		eard Shri S.B Talekar, le is and Ms Swati Manche ondents.	
	1	earned C.P.O submits the course of the day.	nat reply will be filed
	3. A	djourned to 9.12.2019.	
			Sd/-
	Akn		(P.N Dixit) Vice-Chairman (A)

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(Spl.- MAT-F-2 E

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20 District
	Applicant/s
(Advocate	· · · · · · · · · · · · · · · · · · ·
	versus
The St	ite of Maharashtra and others
	Respondent/s
(Presenting Officer,)
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	n, Tribunal's orders
	26.11.2019
	<u>O.A 558/2019</u>
	Shri P.S Pereira Applicant Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
	2. Learned advocate for the applicant submits affidavit in rejoinder. The same is taken on record.
	3. Learned C.P.O seeks adjournment for filing sur- rejoinder.
	4. Adjourned to 9.12.2019.
	Sd/
·	(P.N Dixit) Vice-Chairman (A)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Spl- MAT-F-2 E.

riginal Application No.	of 20	DISTRI	CT
			Applicant/s
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The S	State of Ma	harashtra and others	
			Respondent/s
resenting Officer)	
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Office Notes, Office Memoranda of Con Appearance. Tribunal's orders or directions and Registrar's orders		Tribunal's orde	rs
anna an an an an an an an an ann an an a	2	6.11.2019	
		<u>0.A 546/2</u>	019
	S	Shri A.J Sawant	Applicant
	1	Vs. he State of Maharashtra & Ors	
		in State of Manarasinia -+ Ors	Respondences
	fi	Heard Shri B.A Bandiwa or the applicant and Ms Swati i or the Respondents.	
	2	Admit to be heard in due	course.
			S4/
			Sd/-
			(P.N Dixit) Vice-Chairman (A)
	4	kn	The Constitution (18)
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Spl.- MAT-F-2 E.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	Applicant/s
(Advocate	,		
	versu	8	
The	State of Mahara	shtra and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of C Appearance. Tribunal's orders of directions and Registrar's orde	>r	Tribunai's orders	
	<u>26.1</u> 1	1.2019	
		0.A 776/20	19
		N.P Bhosale & Others Vs. State of Maharashtra & Ors	Applicants Respondents
		Heard Shri K.R Jagdale, l cants and Ms Swati Manch cspondents.	
	2.	Learned CPO request for or	ne weeks' time.
	З.	Adjourned to 5.12.2019.	
			Sd/-
	Akn		(P.N Dixit) Vice-Chairman (A)

(Spl- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20) DISTRICT Applicant/s
(Advocate	<,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,)
		versus
The St.	ate of N	Maharashtra and others
		Respondent/s
(Presenting Officer		
Office Notes, Office Memoranda of Corar Appearance, Tribunal's orders or directions and Registrar's orders	331.,	Tribunal'* orders
		26.11.2019
		<u>O.A 423/2019</u>
		Shri V.B Patil & Others Applicants Vs.
		The State of Maharashtra & Ors Respondents
		1. Heard Shri C.T Chandratre, learned advocate for the applicants and Ms Swati Manchekar, learned P.O for the Respondents.
		2. At the request of learned C.P.O adjourned to 28.11.2019.
		Sd/- (P.N Dixit) Vice-Chairman (A)

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

Spl-MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

enaux

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	26.11.2019	
	0.A 915/2019	
	Shri N V Bhadvle & Others Applicants Vs.	
	The State of Maharashtra & Ors Respondenis	
	 Heard Shri A.V Bandiwadekar, learned advocat for the applicant and Ms Swati Manchekar, learned C.P (for the Respondents. 	
	2. Learned C.P.O on instructions submits the proposal has been sent in this regard by MPSC o 22.11.2019. She further submits that action regarding th same is expected to be taken by the Government withit four weeks.	
	3. Learned advocate for the applicant submits the copy of the proposal may be kept on record. Learner C.P.O submits that the decision is confidential. In this regard, learned C.P.O states that she will tak instructions.	
	4. At the request of learned C.P.O adjourned a 4.1.2020.	
	Sd/	
	(P.N Dixit) Vice-Chairman (A)	
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ISpl MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20) District	Applicant/s
(Advocate	• • • • • • • • • • • • • • • • • • • •)	
		versus	
Tł	ne State of N	Maharashtra and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Appearance, Tribunal's orders directions and Registrar's ord	sor	Tribunal's orders	
		<u>26.11.2019</u>	
		0.A 775/20	19
		Shri S.B Khadtare Vs.	Applicant
		vs. The State of Maharashtra & Ors	Respondents
		 Heard Shri K.R Jagdale, 1 applicant and Ms Swati Mancheka Respondents. 	
		 Learned C.P.O files reply of no. 2. The same is taken on record 	
		3. Admit. To be heard in due	cou rse .
			Sd/-
		Akn	(P.N Dixit) Vice-Chairman (A)

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Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	
			. Applicant/s
(Advocate)		
	versus		

The State of Maharashtra and others

..... Respondent/s

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(Presenting Officer.....)

Office Notes, Office Momoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunai's orders	
	26.11.2019	
	0.A 256 & 257/2019	
	Dr S.D Kulkarni Dr P.D Shendge Applican s Vs.	
	The State of Maharashtra & Ors Respond :nts	
	1. Heard Ms Kalyani Tulankar i/b Shri A. ¹ . Pawar learned advocate for the applicants and N s Swat Manchekar, learned P.O for the Respondents.	
	2. Learned advocate for the applicants files n oinder.	
	3. Learned C.P.O submits that she would life to fil sur-rejoinder.	
	4. Learned advocate for the applicants subjuits thut the reply which has been filed by Assistant Director, Technical Education, Shri M.K Dawane, is stally silent about the order issued by this Tribunal on 20.7 .2019 in para no. 9.	
	5. Learned advocate for the applicants si omit that identical reply was filed by Dy. Secretary, Dr Ki [*] an Patil in O.A 387/2011 dated 31.10.2015. The Respondents are therefore directed to ensure that proper affida [*] it is filed to the issue raised in the O.A and particularly to the order passed by this Tribunal on 20.3.2019.	
	6. At the request of learned C.P.O, adjourned to 13.12.2019 by way of last chance.	
	Sd/-	
	(P.N Dixit) Vice-Chairman (A)	
	Akn	

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	Tribuns	l's orders	and a summary state of the state
	<u>26.11.2019</u>		
	<u>O.</u> .	A 245/2019	
	Shri R.B Matwandkar		. Applican
	Vs. The State of Maharashtr	a & Ors .	Respondents
	 None for the Manchekar, learned C.P Admitted. To be 	.O for the Resp	
			Sd/- ~
	Xikrı	Vi	(P.N Dixit) ce-Chairman ₍ A)
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(G.C.P.) J 2959 (A) (50,000-3-2017)

ISpl- MAT-F-2 E.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	of 20	DISTRICT	Applicant/s
(Advocate			
		versus	
The S	itate of N	laharashtra and others	
			Respondent/s
(Presenting Officer	*****)	
Office Notes, Office Memoranda of Cor Appearance, Tribunal's orders or directions and Registrar's orders		26.11.2019 Tribunal's orders	
		O.A 624/201	9
		Shri B.C Tribhuvan Vs.	Applicant
		The State of Maharashtra & Ors	Respondents
		 Heard Shri B.A Bandiwade for the applicant and Ms Swati C.P.O for the Respondents. 	
		2. Admit. Place for hearing on	9,1.2020.
			Sd/-
		Akn	(P.Ń Dixit) Vice-Chairman (A)

KB) (50,000-3-2017)

(Spl.) MAT-F-2 E.

E MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

IN

Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal' • orders		
	C.A. No.44 of 2019 in O.A. No.1134 of 2016		
	B.R. Nalawade & Ors.	Applicants	
	Vs. The State of Maharashtra & Ors.	Respondents	
	Heard Shri K.R. Jagdale, learned Advocate for th Applicants and Smt. K S. Gaikwad, learned Presentin Officer for the Respondents.		
	2. Ld. PO files attidavit in reply on behalf of respondent no.1 and the same is taken on record. Ld. Po submits that the State has filed SLP in the Hon'ble Suprem Court and according to her if the State fails in getting an relief the order will be complied, subject to final outcome of SLP. She therefore prays that one month's time may be given. Ld. Advocate for the applicant submits that it should be heard within one week.		
	3. S.O. to 7.1.2020.		
	Sd/-	Sd/-	
	(A.P. Kurhekar) Member (J) V 26.11.2019 (sgj)	(P.N. ¹ Dixit) ice-Chairman (A) 26.11.2019	

(Spl. MAT-F-2 E (G.C.P.) J 2959(B) (50.000-3-2017) 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		
	<u>C.A. No.39 of 2019 in O.A. No.216 of 2016</u>		
	A.P. Charate	Applicant	
	Vs. The State of Maharashtra & Ors.	Respondents	
	 Heard Shri Anand Deshpande, learned Advocate i/b. Talekar & Associates, learned Advocate for the Applicant and Smt. K.S. Gaikwad. learned Presenting Officer for the Respondents. 2. Ld. PO files reply on behalf of respondents no.1 & 2 and the same is taken on record. Ld. PO submits that the State has moved the Hon'ble High Court and the next hearing is scheduled on 5.12.2019. 3. By consent S.O. to 10.12.2019. 		
	Sd/-	Sd/- 1.	
	Member (J) Vice-	P.N. Dixit) -Chairman (A) 26.11.2019	

(Spl.) MAT/F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

IN

Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal'× orders	
	<u>C.A. No.38 of 2019 in O.A. No.634 of 2017</u> S.D. Sutar Applicant	
	Vs. The State of Maharashtra & OrsRespondents Heard Shri C.T. Chandratre, learned Advocate holding for Shri A.G. Ambetkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.	
	2. Ld. CPO submits that the before the Hon'ble High Court at on 29.11.2019. At her request ac	
	Sd/- (A.P. Kurhekar) Member (J) 26.11.2019 (sgj)	Sd/- (P.N. Dixit) /ice-Chairman (A) 26.11.2019

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

(Spl. MAT-F-2 E

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

IN

Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's o	rders
	R.V. Solanke Vs. The State of Maharashtra & Heard Ms. Prachi & Applicant and Ms. S.P. Mai Officer for the Respondents	Mestry, learned Advocate for the nchekar, learned Chief Presenting . CPO adjourned to 8.1.2020. Sd/-
	(A.P. Kurhekar) Member (J) 26.11.2019 (sgj)	(P.N. ⁴ Dixit) Vice-Chairman (A) 26.11.2019
	-	

(G.C.P.) J 2959(B) (50,000-3-2017) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

of 20

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

IN

Original Application No.

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A. No.1120 of 2019 K.S. Jagiap ...Applicant Vs. ..Respondents The State of Maharashtra & Ors. Heard Shri R.C. Panchal, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Ld. Advocate for the applicant seeks time to 2. convince on the point of jurisdiction. 3. S.O. to 28.11.2019. Sd/-Sd/-(A.P. Kurhekar) (P.N.^{*}Dixit) Member (J) Vice-Chairman (A) 26.11.2019 26.11.2019 (sgj)

Tribunal's orders

M.A. No.642 of 2019 in O.A. No.1122 of 2019

EJ. Barshinge Vs. ..Applicant

..Respondents

The State of Maharashtra & Ors.

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 11.12.2019.

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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules. 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 26.11.2019 (P.N. Dixit) Vice-Chairman (A)

26.11.2019

(sgj)

2

Tribunal's orders

M.A. No.624 of 2019 in O.A. No.1124 of 2019

Vs. The State of Maharashtra & Ors. ...Applicant

..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 11.12.2019.

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 M.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.

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Sd/-

(A.P. Kurhekar) Member (J) 26.11.2019

Sd/-

(P.N.⁴Dixit) Vice-Chairman (A) 26.11.2019

(igi)

J. Barshinge

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

Tribunal's orders

M.A. No.643 of 2019 in O.A. No.1123 of 2019

J. Barshinge ...Applicant Vs. The State of Maharashtra & Ors. ...Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for

the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 11.12.2019.

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

Applicant is authorized and directed to serve on Respondents intimation notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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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In ease notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-Sd/-(A.P. Kurhekar) (P.N. Dixit) Vice-Chairman (A) Member (J) 26.11.2019 26.11.2019

(sgi)

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M.A. No.646 of 2019 in O.A. 1	No.1127 of 2019
E.J. Barshinge	Applicant
Vs. The State of Maharashtra & Ors.	Respondents
Heard Shri A.V. Bandiwadeka the Applicant and Ms. S.P. Mar Presenting Officer for the Responden	hchekar, learned Unici
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	 J. Barshinge Vs. he State of Maharashtra & Ors. Heard Shri A.V. Bandiwadek he Applicant and Ms. S.P. Mar resenting Officer for the Responden Issue notice returnable on 11. Tribunal may take the case stage and separate notice for fina issued. Applicant is authorized an Respondents intimation/notice of authenticated by Registry, along w of M.A. Respondents are put to no taken up for final disposal at hearing. This intimation/notice is on the Maharashtra Administrative Tri 988, and the questions such as remedy are kept open. The service may be done ost/courier and acknowledgern roduced along with affidavit of e within one week. Applicant is di compliance and notice. In case notice is not collect service report on affidavit is no eturnable date, MA shall stand di to Tribunal and papers be consigned SC/- (A.P. Kurhekar) Member (J)

Tribunal's orders

M.A. No.647 of 2019 in O.A. No.1128 of 2019

E.J. Barshinge Vs. ..Applicant

The State of Maharashtra & Ors.

..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for he Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 11.12.2019.

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

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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 26.11.2019 (P.N. Dixit) Vice-Chairman (A)

26.11.2019

(sgi)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI ORIGINAL APPLICATION NO.1116 OF 2019

Shri Ravindra U. Shinde ...Applicant Versus The State of Maharashtra & Ors. ...Respondents

Shri M.D. Lonkar – Advocate for the Applicant Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM	:	Shri P.N. Dixit, Vice-Chairman (A)
		Shri A.P. Kurhekar, Member (J)
DATE	:	26 th November, 2019

ORDER

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant claims interim relief for permission to participate in the examination to be conducted for appointment to IAS by selection as per select list of 2018. The appointment/selection to IAS is governed by IAS (Appointment by Selection) Regulations, 1997.

3. The applicant claims to be entitled for participation in written test as well as interview for short listing on the ground that he fulfills all the requirements of eligibility criteria. One of the requirement for short listing is that the candidate must have 9 ACR of Excellent Gradation (A+) out of 10 ACRs.

What-

ر. این ^{کش}اهین **د** 4. In the present case the applicant's ACR for 2012-13 was of gradation 'A' and the same was communicated to him on 20.2.2015. He made representation for upgradation of ACR as A+ on 8.4.2015. His parent department i.e. Rural Development Department and Water Conservation by order dated 7.11.2016 upgraded ACR as A+ and communicated the same to him. However, the GAD did not forwarded the name of the applicant for short listing on the ground that representation for upgradation of ACR was made belatedly and therefore it cannot be considered.

5. Ld. Advocate for the applicant has pointed out that there is no delay on the part of applicant for making representation. It is explicit from order dated 7.11.2016 that ACR of 2012-13 was communicated to the applicant on 20.2.2015 only. As such there was delay on the part of department to communicate the ACR. The applicant made representation on 8.4.2015 i.e. within one and half month from the date of receipt of communication. This being the position delay, if any, was on the part of department for communication of ACR to the applicant.

6. Indeed in the impugned order (page 42) itself there is reference that department made delay in taking appropriate action. There is no undue delay on the part of the applicant so as to deny permission for participation in the examination. Delay was on the part of the department for which applicant cannot be blamed.

7. The submission advanced by the Ld. CPO that there is no provision for upgradation of ACR and therefore upgraded ACR cannot be considered is not supported by any circular or rules. She could not point out any provision which bar from making any representation for upgradation of ACR. Indeed para 28 of GR dated 1.11.2011 says that in case of any

O.A. No.1116 of 2019

grievance of the applicant against ACR he can make representation within 30 days from date of communication of ACR. Clause 28 of GR reads as under:

3

"संबंधित अधिकारी/कर्मचारी यांना त्यांच्या गोपनीय अहवालाची प्रत मिळाल्यानंतर ३० दिवसाच्या कालावथीत त्यास त्यासंदर्भात कोणतेही अभिवेदन द्यावयाचे असल्यास ते संस्करण प्राधिका-याकडे सादर करतील. या कालावधीनंतर प्राप्त होणारी अभिवेदने विचारात घेण्यात येऊ नयेत."

(Quoted from page 51 of OA)

8. In view of the above, in our considered opinion applicant cannot be denied opportunity to participate in the process. Prima facie he is entitled to appear in the process. He is entitled to participate provisionally subject to final outcome of this OA. Accordingly, interim relief is granted in terms of prayer clause 10(c) of OA.

9. Issue notice returnable on 19.12.2019,

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

11. 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.

12. 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.

13. 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.

4

14. In case notice is not collected within three 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.

15. Steno copy and hamdast granted.

Sd/-(A.P. Kurhekar) Member (J) 26.11.2019

Sd/- // (P.N. Dixit) Vice-Chairman (A) 26.11.2019

Dictation taken by: S.G. Jawalkar.

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

ORIGINAL APPLICATION NO.1114 OF 2019

Shri Rajul Krishnaji Sakore	Applicant
Versus	
The State of Maharashtra & Ors.	Respondents

Smt. Punam Mahajan – Advocate for the Applicant Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM	:	Shri P.N. Dixit, Vice-Chairman (A)
		Shri A.P. Kurhekar, Member (J)
DATE	:	26 th November, 2019

ORDER

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

2. Ld. Advocate for the applicant claims interim relief for permission to participate in the examination to be conducted for appointment to IAS by selection as per select list of 2018. The appointment/selection to IAS is governed by IAS (Appointment by Selection) Regulations, 1997.

3. The applicant claims to be entitled for participation in written test as well as interview for short listing. One of the requirement for short listing is that the candidate must have 9 ACR of Excellent Gradation (A+) out of 10 ACRs.



4. In the present case the applicant's ACR for 2012-13 was of gradation 'A' however, applicant made representation against it for upgradation on 11.8.2019 to his parent department i.e. Rural Development Department. Accordingly, Rural Development Department by order dated 10.10.2019 (page 59 of OA) upgraded his ACR as 'A+' for the year 2012-13. On the basis of this upgradation the applicant claims eligibility for short listing so as to appear in the written test and interview.

2

5. However, GAD has returned the proposal for sending his name for shortlisting on the ground that he has not made representation within time and secondly the representation against upgradation is not permissible.

6. Ld. Advocate for the applicant submits that once the ACR of the applicant for the year 2012-13 is upgraded as A+ by parent department by order dated 10.10.2019 then GAD cannot override it and further contend that the applicant is subjected to discrimination.

7. Whereas Ld. CPO submits that representation against ACR is permissible in case of adverse entries and there is no provision for representation for upgradation of ACR. She further submits that the applicant made representation in respect of ACR for the year 2012-13 quite belatedly on 11.8.2019 and therefore it being contrary to specific instructions given in this behalf in GR dated 1.11.2011, the applicant is not entitled for participation in process.

8. In so far as permissibility of representation against ACR is concerned, the Ld. CPO could not point out any provision which bar representation for upgradation of ACR. In absence of any such provision in GR dated 1.11.2011 it cannot be said that no representation can lie for

O.A. No.1114 of 2019

upgradation of ACR. In fact clause 28 of GR dated 1.11.2011 shows that employee can make representation in respect of any grievances about ACR and it is not restricted to representation against adverse ACR only.

3

Indeed Rural Development Department had considered the representation and upgraded it as A+.

9. However, we find merit in the contention raised by the Ld. CPO that the representation itself was quite belated. There is no denying that ACR of 2012-13 was communicated to the applicant immediately in 2013 itself as per scheduled programme. However, applicant has made representation on 11.8.2019 which is belated by 6 years. As per clause 28 of GR dated 1.11.2011 representation in respect of ACR is required to be made within 30 days from receipt of communication of the ACR. Clause 28 of GR reads as under:

"संबंधित अधिकारी/कर्मचारी यांना त्यांच्या गोपनीय अहवालाची प्रत्न मिळाल्यानंतर ३० दिवसाच्या कालावधीत त्यास त्यासंदर्भात कोणतेही अभिवेदन द्यावयाचे असल्यास ते संस्करण प्राधिका-याकडे सादर करतील. या कालावधीनंतर प्राप्त होणारी अभिवेदने विचारात घेण्यात येऊ नयेत."

(Quoted from page 77 of OA)

10. In view of the above, the stand taken by the GAD is that applicant has not made representation within time and therefore applicant's case cannot be considered for short listing cannot be prima facie faulted with.

11. For the aforesaid reasons in our considered opinion no prima facie case is made out for grant of interim relief.

12. Issue notice returnable on 19.12.2019.

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

4

14. 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.

15. 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.

16. 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.

17. In case notice is not collected within three 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.

18. Steno copy and hamdast granted.

Sd/-(A.P. Kurhekar) Member (J) 26.11.2019

Sd/-

(P.N[!] Dixit) Vice-Chairman (A) 26.11.2019

Dictation taken by: S.G. Jawalkar.

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MUMBAI

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
	26.11.2019
	<u>O.A 953/2019</u>
	 Shri P.L Palsamkar & Ors Applicants Vs. The State of Maharashtra & Ors Respondents 1. None for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents. 2. The applicant has filed the present O.A and challenged the G.R dated 11.7.2019. Subject matter
	 challenging the G.R is assigned to Division Bench. 3. Hence, the matter be placed before the Division Bench. Registrar is directed to take necessary steps and place the matter before Division Bench.
	Sd/-
	(B.P Patil) (Acting-Chairman)
	Akn

of 20

DISTRICT Applicant/s

Original Application No.

WIUMDAI

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(B.P Patil) (Acting-Chairman)

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	26.11.2019
	<u>O.A 876/2019</u>
	Shri B.P Kamble Applicant Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Smt Punam Mahajan, learned advocate for
	the applicants and Ms Swati Manchekar, learned C.P.O
	for the Respondents.
	2. Learned advocate for the applicant submits that applicant has filed the present O.A before this Bench but the cause of action to file the Original Application arose within the jurisdiction of Bench of this Tribunal at Nagpur. Therefore, she has prayed that the O.A may be returned with liberty to the applicant to present the Original Application before Nagpur Bench.
	3. Leave as sought for is granted. Original Application be returned to the applicant to present the same before the Nagpur Bench. Registrar is directed to take necessary steps.
	Sd/-

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