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

DATE : 27/6/16

CORAM :

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

Hon'ble Shri R.B. Malik (Member) ~~A.M.~~

Adv. Shri :

Shri G.A. Bandiwadekar

Advocate for the Applicant

Shri N.K. Rajpurohit

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

Adj. To 18/7/16.

M.A.254/2016 in O.A.614/2016

Shri S.K. Manthalkar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 18.07.2016.

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

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

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

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

S.O. to 18th July, 2016.

Sd/-
(R.B. Malik)
Member (J)
27.06.2016

(skw)

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

DATE : 27/6/16

CORAM :

Hon'ble ~~Shri B. Malik~~ (Chairman)

Hon'ble Shri R.B.Malik (Member) ~~A~~ J

Adv. for Applicant : R.M. Kolge

Adv. for the Respondent's : K.S. Gaikwad, P.O. holding for ~~adv~~ N.G. Gohad, P.O. for Rsls

Adj. To.... MA is allowed.

O.A. S.O. to 7/11/16

M.A.258/2016 in O.A.256/2016

Shri Lalit G. Pandule ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

The Applicant transferee seeks impleadment of the Officer who has taken the charge of his post vice him.

The reply has not been filed and in fact, none is necessary that is because in the first place, the impleadment of additional party is a course of action for which the existing Respondents may not have much to say. Secondly, the new party post impleadment as well as the existing Respondents will have time and occasion to file pleadings to traverse the case of the Applicant. The amendment to the body of the OA vide Schedule '1' is a consequence of Schedule 2 whereby the new party is being sought to be impleaded and Schedule 3 is the addition to the Prayer Clause. That being the state of affairs, no further time need to be spent hereon. The amendment as per the Schedule 1, 2 & 3 hereto annexed to be carried within a period of two days from today. A consolidated copy of the OA after amendment be filed and a copy thereof be furnished to the learned P.O. and the newly added Respondent be served as per the Rules. The MA is accordingly allowed with no order as to costs and the OA stands adjourned to 7th July, 2016.

Sd/-

(R.B. Malik)
Member (J)
27.06.2016

(skw)

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

[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

(Presenting Officer.....)

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

O.A.54/2015

Shri A.M. Sajane & Ors. ... Applicants
Vs.
The State of Mah. & ors. ... Respondents

Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

The OA is admitted. In view of the facts herein, a fixed date is given and the OA be placed on Board of the 2nd Division Bench on 13th July, 2016.

Sd/-
(R.B. Malik) 27.6.16
Member (J)
27.06.2016

(skw)

DATE : 27/6/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) (A) (m/j)
APPEARANCE :
Shri S.P. Manchekar
Advocate for the Applicant
Shri K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 13/7/16

PTO

FARAD CONTINUATION SHEET NO.

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

27.06.2016

M.A 226/2016 in O.A 836/2014

Shri P.B Pawar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the Applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 18.7.2016.

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

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

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

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

7. S.O 18.7.2016.

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 27/6/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ B.A. Bandiwadekar

Advocate for the Applicant

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

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

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

27.06.2016

O.A No 617, 618, 619 & 620/2016

Shri E.J Shiledar & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri K.B Bhise learned Presenting Officer for the Respondents.

2. All the Applicants are working as Police Constables in Police Commissionerate, Pune and have been transferred before completion of their tenure. The transfer order has been issued on 26.5.2016 and all of them have relieved and more than one month have elapsed, request for interim relief is not considered. However, learned P.O is directed to file affidavit before 8.7.2016 as cases of similarly situated persons are kept on the said date.

3. Issue notice before admission made returnable on 12.7.2016.

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

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

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

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

8. S.O 8.7.2016. Learned C.P.O waives service of notice

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 27/6/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri A. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt.~~ : Punam Mahajan
Advocate for the Applicant
~~Shri/Smt.~~ : K.B. Bhise
~~C.P.O~~/P.O. for the Respondents
~~Adj. To~~: S.O to 8/7/16

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

27.06.2016

O.A No 616/2016

Smt Sangita K. Yadav ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri K.B Bhise learned Presenting Officer for the Respondents.

2. As more than one month have elapsed since the transfer order has been issued and the Applicant has already been relived, the request for interim relief is not considered at this stage.

3. Learned P.O will file affidavit in reply along with records which were placed before the Police Establishment Board which ordered transfer of the Applicant on the next date of hearing.

4. Issue notice before admission made returnable on 12.7.2016.

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

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

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

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

9. S.O 12.7.2016. Learned C.P.O waives service of notice

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE : 27/6/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE :
Shri/Smt. : Punam Mahajan
Advocate for the Applicant
Shri/Smt. : K. B. Bhise
C.P.O. for the Respondents
Adj. to : 12/7/16.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATIONS 621 & 622 OF 2016

DISTRICT : MUMBAI

ORIGINAL APPLICATION NO. 621 OF 2016

Shri Kishor B. Jagtap)...**Applicant**

Versus

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

ORIGINAL APPLICATION NO. 622 OF 2016

Shri Kishor B. Jagtap)...**Applicant**

Versus

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

Shri A.V Bandiwadekar, learned advocate for the Applicants.

Shri K.B. Bhise, learned Presenting Officer for the Respondents.

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 27.06.2016

O R D E R

1. Heard Shri A.V Bandiwadekar, learned advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Both the Original Applications have been filed by the Applicant, first regarding transfer from Traffic Branch where he was working at Uran, dist-Raigad in Navi Mumbai Police Commissionerate to Special Branch at Belapur in Navi Mumbai, Dist-Thane. The second Original Application has been filed by the applicant challenging the order dated 24.5.2016 by which he has

been transferred to Gadchiroli from Navi Mumbai Police Commissionerate. The Applicant has raised many important issues. The order dated 24.5.2016 has been issued under Section 22N(1)(c) of the Maharashtra Police Act under which a Police Personnel cannot be transferred unless he has worked in a District for four years. The Applicant has worked in Raigad District for less than 2 years and on that ground that order is challenged. The other important issue raised by the Applicant is that a policy decision was taken by the Government which is reflected in G.R dated 8.12.2009 wherein it has been directed that only those officers who are in the age group of 23 to 40 years should be posted to highly sensitive Naxalite affected area. Gadchiroli is such a Naxalite affected area. The Applicant is 53 years old and he is suffering from various ailments about which he has submitted medical certificates.

3. Learned Advocate Shri Bandiwadekar strongly pressed for interim relief. However, considering that the order transferring the Applicant to Gadchiroli was passed about five weeks back on 24.5.2016, the prayer for interim relief is not considered at this stage. Prima facie, it appears that the order dated 24.5.2016 has issued in violation of provisions of G.R dated 8.12.2009. If the Applicant submits a representation to Respondent no. 2, i.e. D.G.P, M.S., Mumbai, the same may be considered by him on merits, taking into consideration the intention of the Government in issuing the aforesaid G.R within two weeks. In this connection, learned Advocate Shri Bandiwadekar stated that the post at Panvel Taluka Police Station is vacant, where the Applicant can be considered for posting.

4. Learned P.O and Learned C.P.O are directed to file affidavit in reply within two weeks. It is made very clear that no further time will be granted.

5. Issue notice before admission made returnable on 11.7.2016.

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

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

8. 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.

9. 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.

10. S.O 11.7.2016. Learned C.P.O waives service of notice. Hamdast.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 27.06.2016
Dictation taken by : A.K. Nair.
H:\Anil Nair\Judgments\2016\1st June 2016\O.A 621 and 622.16 Transfer order challenged.SB.616.doc

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO 611 OF 2016

DISTRICT : THANT

Dr Y.M Kokadwar)...**Applicant**

Versus

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

Ms Swati Manchekar, learned advocate for the Applicant.

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

CORAM : Shri Rajiv Agarwal (Vice-Chairman)

DATE : 27.06.2016

O R D E R

1. Heard Ms Swati Manchekar, learned advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. The learned Chief Presenting Officer produced for my perusal file of the Public Health Department dealing with transfer of the Applicant. It appears that the transfer of the Applicant has been ordered on the basis of complaint dated 21.4.2016 received from the Additional D.G.P & I.G, Prisons, M.S, Pune. It is mentioned in one of the paras in the letter dated 21.4.2016 as follows:-

> डॉ. कोकडवार, वैद्यकीय अधिकरी यांचे निलंबन आदेश रदद करून महाराष्ट्र नागरी सेवा (शिस्त व अपिल) नियम १९७९ मधील नियम १० अन्वये चौकशी करण्याचे व डॉ कोकडवार यांना अन्य कमी

महत्वाचे रिक्त पदावर नियुक्ती देणेबाबत निर्देश झाले होते. त्यानुसार कारवाई पुर्ण करण्यात आलेली असून सदर प्रकरणी श्री कोकडवार यांना दोषी ठरविण्यात आलेले आहे."

It is further mentioned that:

'' डॉ. कोकडवार हे यापूर्वी भायखळा जिल्हा कारागृह व मुंबई मध्यवर्ती कारागृह येथे कर्तव्यावर असतांना त्यांच्या विरूध्द त्यावेळी तकारी प्रापत होऊन कार्यवाही करण्यात आली होती.''

In the same paragraph, it is mentioned that:

'' श्री कोकडवार यांचे यापूर्वीची कारागृहातील वादग्रस्त सेवाइतिहास, तसेच त्यांची संशयास्पद सचोटी यासर्व बाबींचा विचार करून त्यांना यापुढे कारागृह विभागाच्यासेवेत ठेवणे इष्ट होणार नाही असे प्रथम दर्शनी निदर्शनास येत आहेत.''

3. Learned Advocate Ms Manchekar stated that the contention made in this letter are totally incorrect. In the enquiry under Rule 10 of the M.C.S (Discipline & Appeal) Rules, 1979, which was held against the Applicant in the year 2010, he was not held guilty contrary to what is mentioned in the aforesaid letter of I.G, Prisons. She placed on record a copy of the order passed by the Addl. Director, Health Services, [Malaria, Filaria and Water Borne Diseases], Pune dated 18.5.2010 in support of her contention. It does appear that the explanation in the case furnished by Dr. Kokadwar was accepted by the disciplinary authority and no punishment was imposed on him though he was warned to remain careful in future. It is difficult to hold that the Applicant was held guilty in the aforesaid enquiry. To that extent the submission made by Ms Manchekar appears to be correct.

4. In the aforesaid letter it is mentioned that integrity of Dr Kokadwar is doubtful. However, no instances or material in support of that allegation is discernable from the perusal of this letter. It is a serious charge which could not have been made so casually. It is also mentioned in the letter that some confidential reports have been received by the Prison administration about the activities of the Applicant that he is incitng the Prison inmates to

file complaint against Prison administration and other Medical Officers. However, there is no mention that any enquiry into this complaint was made and if so whether the complaint was found to have some substance.

5. It appears that the Establishment Board as well as the Government accepted the allegations made by the I.G, Prisons against the Applicant without making any efforts to verify whether there is any substance in the allegations. As has been mentioned there are contentions in the letter of I.G, Prisons, which are not supported by facts. The Applicant was not punished or held guilty in an enquiry under Rule 10 of the M.C.S (Discipline & Appeal) Rules, 1979 as alleged. There is no material to hold that his integrity is doubtful and the other allegations against him are also not verified.

6. As no exceptional circumstances or special case was made out to order mid-term and mid-tenure transfer of the Applicant, I am inclined to accept the prayer of the Applicant to grant him interim relief.

7. The order transferring the Applicant dated 4.6.2016 is hereby stayed and status quo ante is ordered to be maintained till disposal of this Original Application. The Applicant will be allowed to work as before the impugned order was passed.

8. S.O to 18.7.2916. Hamdast.

(Rajiv Agarwal)
Vice-Chairman

Place : Mumbai
Date : 27.06.2016
Dictation taken by : A.K. Nair.

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(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registror's orders	Tribunal's orders
DATE : 27/6/16 CORAM : Hon'ble Justice Shri A.H. Joshi (Chairman) Hon'ble Shri [illegible] (Member) A Applicant/s : Shri/Smt. : Punam Mahajan Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O. / P.O. for the Respondent/s Adj. To 12/7/16. [illegible]	**Date : 27.06.2016.** **O.A.No.161 of 2014 with 189 of 2014 with O.A.No. 190 of 2014 with O.A.No.968 of 2014** **Shri J.H. Kadam (O.A.No.161 of 2014)** **Shri M.V. Kulkarni (O.A.No.189 of 2014)** **Shri A.R. Jadhav (O.A.No.190 of 2014)** **Shri S.P. Bhosale (O.A.No.968 of 2014)** **...Applicants** **Vs.** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants, Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents and Ms. S.P. Manchekar, the learned Advocate for the Respondent No.5 in O.A.No.968 of 2014. 2. At the request of learned Advocate for the Applicant Smt. Punam Mahajan adjourned to 12.07.2016. Sd/- (A.H. Joshi, J.) Chairman sba

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramakrishnan (Member) A
APPEARANCE :
Smt. Punam Mahajan
Advocate for the Applicant
Shri K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 11/8/16

Date : 27.06.2016.

O.A. No.298 of 2016

Shri S.R. Koli **...Applicant**

Vs.

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

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant Smt. Punam Mahajan states as follows:

Notices were not served to Respondents No.4 and 5 because the notice collected from the office are lost and prays for issue of fresh notice to Respondent Nos.4 and 5.

3. Office to issue notice to Respondents No.4 and 5 for service by Applicant and notice shall be returnable on 11.08.2016.

4. S.O. to 11.08.2016.

(A.H. Joshi, J.)
Chairman

sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 27/6/16 CORAM : Hon'ble Shri A. H. Joshi (Chairman) Hon'ble Shri ~~Rajiv Agarwal (Member) A~~ Applicant(s) Smt. Punam Mahajan Advocate for the Applicant(s) Shri/Smt. K.S. Gaikwad C.P.O./P.O. for the Respondent/s Adj. To 26/7/16. DR	**Date : 27.06.2016.** **O.A. No.312 of 2016** **Shri R.A. Kulkarni ...Applicant** **Vs.** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant Smt. Punam Mahajan states as follows: Notice was not served to the Respondent No.3 because the notice collected from the office is lost and prays for issue of fresh notice to the Respondent No.3. 3. Office to issue notice to Respondent No.3 for service by Applicant and notice shall be returnable on 26.07.2016. 4. Learned P.O. for the Respondents prays for two weeks time for filing affidavit-in-reply. 5. Time as prayed for is granted. 6. S.O. to 26.07.2016. Sd/- (A.H. Joshi, J.) Chairman sba

(G.C.P.) J 2260 (A) (50,000—2-2015) (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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 27/6/16 CORAM : (Chairman) S.A. Borse appln in person Shri K.B. Bhise Adj. To 11/7/16. steno copy & Hamdast allowed.	**Date : 27.06.2016.** **C.A.No.48 of 2015 in O.A.No.917 of 2014** **(O.A.No.897 of 2011 Aurangabad)** **S.A. Borse .... Applicant** **Versus** **The State of Maharashtra & Ors ....Respondents.** 1. Heard Shri S.A. Borse Applicant in person and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. Learned Advocate Shri S.U. Chaudhari is absent. 2. Learned P.O. Shri K.B. Bhise for the Respondents prays for time for filing affidavit on the ground that affidavit of Shri N.V. Rathod, Regional Dairy Development Officer, which is received today, though tendered it does not offer satisfactory reply. 3. For enabling the Respondents to reexamine the issue time is granted. 4. Affidavit, if any, be filed on the next date. 5. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents. 6. S.O. to 11.07.2016. Sd/- (A.H. Joshi, J.) **Chairman** prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A. No.313 of 2016

Shri P.B. Avhad ...Applicant

Vs.

The State of Maharashtra & Ors. ...Respondents

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant Smt. Punam Mahajan states as follows:

> Notice was not served to the Respondent No.3 because the notice collected from the office is lost and prays for issue of fresh notice to the Respondent No.3.

3. Office to issue notice to Respondent No.3 for service by Applicant and notice shall be returnable on 26.07.2016.

4. Learned P.O. for the Respondents prays for two weeks time for filing affidavit-in-reply.

5. Time as prayed for is granted.

6. S.O. to 26.07.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 27/6/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
~~Hon'ble Shri A. Hamdi (Member) A~~
ADVOCATE :
~~Shri~~ Punam Mahajan
~~Advocate for~~ Applicants
~~Shri~~ K.S. Gaikwad
~~C.P.O.~~ P.O. for the Respondent/s

Adj. To 26/7/16.

[P.T.O.

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

Date : 27.06.2016.

O.A. No.209 of 2015

Shri R.S. Vichare ...Applicant

Vs.

The State of Maharashtra & Ors. ...Respondents

1. Heard Shri A.R. Joshi, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has tendered affidavit-in-reply affirmed by Shri K.P. Bakshi, Additional Chief Secretary, Home Department. It is taken on record.

3. He has explained that Shri Khedekar, Deputy Secretary who was attending the cases was trapped in Anti Corruption matter and he has been under suspension. In that background he was not aware of the proceedings.

4. The explanation can be accepted and directions to pay cost can be deferred in case the Secretary files an affidavit that the diary of cases would be maintained and an officer and an alternate officer is nominated to keep track of the cases and report the same to the appropriate higher officer/officers.

5. An affidavit to this affect be filed and thereafter the matter will be considered.

6. Learned P.O. for the Respondents states on instructions received from Shri Suresh Khade, Deputy Secretary, Home Department that an affidavit on this point would be filed on 30.06.2016.

7. Steno copy and Hamdast is allowed.

8. Learned P.O. is directed to communicate this order to the Respondents.

9. S.O. to 30.06.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri [illegible] (Member) A~~
Advocate for Applicant : A.R. Joshi
Advocate for Respondents : A.J. Chougule
Adj. To 30/6/16. Steno copy & Hamdast allowed.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri R. Ramanujam (Member) A~~
ADVOCATE :
Shri A.R. Joshi
Advocate for Applicant
Shri A.J. Chougule
C.P.O / P.O. for the Respondent/s

Adj. To 30/6/16.

Date : 27.06.2016.

O.A. No.656 of 2015

Shri D.A. Puranik ...Applicant

Vs.

The State of Maharashtra & Ors. ...Respondents

1. Heard Shri A.R. Joshi, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has tendered affidavit-in-sur-rejoinder on behalf of Respondent No.1. It is taken on record.

3. Learned Advocate for the Applicant Shri A.R. Joshi states that the pages relating to prayer is missing from original record, the same may be due to defect in filing and prays for leave to add the pages.

4. Leave as prayed for is granted.

5. For correcting the record, time is granted till 30.06.2016.

6. S.O. to 30.06.2016.

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

tba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 27/6/16 CORAM : Hon'ble Member Shri A.H. Joshi (Chairman) Hon'ble Shri ~~(Member)~~ A ADV. for the Applicant Shri S.S. Dere ADV. for the Respondent Shri K.B. Bhise C.P.O. / P.O. for the Respondent/s Adj. To 29/6/16.	**Date : 27.06.2016.** **O.A.No.596 of 2015** **R.D. Sonawale .... Applicant** **Versus** **The State of Maharashtra & Ors ....Respondents.** 1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. At the request of learned P.O. Shri K.B. Bhise, adjourned to 29.06.2016. (A.H. Joshi, J.) Chairman prk

P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 27/6/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Kulkarni (Member) A~~ Applicant(s) Shri Punam Mahajan Advocate for the Applicant(s) Respondent(s) C.P.O. for the Respondents ~~Adj. To~~ Hence, OAs are disposed of as withdrawn. sba	**Date : 27.06.2016.** **O.A.No.162 of 2014 with 167 of 2014 with O.A.No.1046 of 2014** **Shri S.R. Govekar (O.A.No.162/2014)** **Shri S.S. More (O.A.No.167/2014)** **Shri S.D. Jadhav (O.A.No.1046/2014).** **...Applicants** **Vs.** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant Smt. Punam Mahajan states that Applicants have instructed her for withdrawal of these O.As. 3. Hence O.As. are disposed as withdrawn. Sd/- (A.H. Joshi, J.) Chairman

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.91 of 2016

P.A. Kamble .... Applicant

Versus

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

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri A.J. Chougule for the Respondents prays for four weeks time for filing reply.

3. Time as prayed for is granted.

4. S.O. to 09.08.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramachandran (Member) A~~
APPEARANCE :
Shri J.N. Kamble
Advocate for the Applicant
Shri A.J. Chougule
C.P.O. / P.O. for the Respondents

Adj. To 9/8/16

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.385 of 2016

P.V. Kohok .... Applicant.

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri A.J. Chougule for the Respondents states as follows :-

Para-wise comments are received and two weeks time is prayed for filing reply.

3. Though two weeks time is prayed, longer time is granted in order that no further adjournments would be necessary. Within four weeks, Admit.

(A.H. Joshi, J)
Chairman

prk

DATE : 27/6/16

Coram : Hon'ble Shri A. H. Joshi (Chairman)

Applicant : — M.D. Lonkar

Respondents : — A.J. Chougule

Adj. to : Admit.

[P.T.O.

(C.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer..... .....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders **Date : 27.06.2016.**
	O.A.No.179 of 2016 **Dr. S.A. Mahajan & Ors. .... Applicants.** **Versus** **The State of Maharashtra & Ors ....Respondents.**
DATE : 27/6/16 CORAM : Hon'ble ~~Member (Judicial)~~ Shri A. H. Joshi (Chairman) ~~Hon'ble Member (Judicial)~~ A Adv. J.N. Kamble holding for G. Sadavarte for the Applicant K.S. Gaikwad for the Respondents Adj. To. 9/8/16.	1. Heard Shri J.N. Kamble, the learned Advocate holding for Shri G. Sadavarte, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for four weeks time for filing reply. 3. Time as prayed for is granted. 4. S.O. to 09.08.2016. Sd/- (A.H. Joshi, J.) Chairman prk

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

Date : 27.06.2016.

O.A.No.546 of 2016

A.L. Jadhav **.... Applicant.**

Versus

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

1. Heard Shri R.G. Panchal, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 09.08.2016.

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. Reply be filed answering each and every paragraph, averment and point.

8. Learned P.O. Smt. K.S. Gaikwad states that there is no possibility of forcibly eviction of the Applicant, hence, for hearing adjourned to 09.08.2016.

Sd/-

(A.H. Joshi, J.K)
Chairman

prk

DATE : 27/6/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri B. Mahadevkumar (Member) A
Advocate for the Applicant : R.G. Panchal
Advocate for the Applicant
C.P.O. / P.O. for the Respondent/s : K.S. Gaikwad
C.P.O. / P.O. for the Respondent/s

Adj. To 9/8/16.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.340 of 2016

K.V. Sawant .... Applicant

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri A.J. Chougule for the Respondents prays for four weeks time for filing reply.

3. Time as prayed for is granted by way of last chance.

4. Respondent No.2 shall be free to decide the applicant's appeal in the intervening period.

5. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

6. S.O. to 10.08.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE: 27/6/16

CORAM:

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

Hon'ble Shri M. Ramakrishnan (Member) A

Applicant's Advocate:

Shri M.D. Lonkar

Advocate's / Party Applicant:

Shri A.J. Chougule

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

Adj. To 10/8/16. Steno copy & Hamdast allowed.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders **Date : 27.06.2016.**

O.A.No.341 of 2016

D.G. Pilankar **.... Applicant**

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. Shri N.K. Rajpurohit for the Respondents prays for four weeks time for filing reply.

3. Time as prayed for is granted by way of last chance.

4. Respondent No.2 shall be free to decide the applicant's appeal in the intervening period.

5. Steno copy and Hamdast is allowed to learned C.P.O. to communicate this order to the Respondents.

6. S.O. to 10.08.2016.

Sd/-

(A.H. Joshi, J)
Chairman

prk

DATE : 27/6/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~Rajeev Agarwal~~ (Member) A
APPEARANCE :
Shri M.D. Lonkar
Advocate for the Applicant
Shri N.K. Rajpurohit
C.P.O. for the Respondent/s

A.J. To 10/8/16 steno copy & Hamdast allowed.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman),
~~Hon'ble Shri M. Ramakrishnan (Member) (A)~~
APPEARANCE :
~~Shri~~ S.P. Manchekar
Advocate for the Applicant
~~Shri~~ K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. to MA is allowed.

Date : 27.06.2016.

M.A.No.255 of 2016 in O.A.No.615 of 2016

Shri G.D. Pawar & Ors. ...Applicants

Vs.

The State of Maharashtra & Ors. ...Respondents

1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if already paid.

(A.H. Joshi, J.)
Chairman

sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
29/6/16 Hon. Justice Shri A.H. Joshi (C) S.P. Manchekar K.S. Gaikwad Adj. To 29/6/16.	**Date : 27.06.2016.** **O.A.No.615 of 2016 (S.B.)** **Shri G.D. Pawar & Ors. ...Applicants** **Vs.** **The State of Maharashtra & Ors. ...Respondents** 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents Smt. K.S. Gaikwad prays for time till 29.06.2016. 3. S.O. to 29.06.2016. Sd/- **(A.H. Joshi, J.)** **Chairman** sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.120 of 2016

P.M. Jamadar **.... Applicant**

Versus

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

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri A.J. Chougule for the Respondents has tendered reply for the Respondents. It is taken on record.

3. Learned Advocate Shrl S.S. Dere for the Applicant prays for time.

4. Time as prayed for is granted.

5. S.O. to 11.07.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramachandran (Member) A
APPEARANCE :
Shri/Smt. : S.S. Dere
Advocate for the Applicant
Shri/Smt. : A.J. Chougule
C.P.O. / P.O. for the Respondent/s

Adj. To 11/7/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.41 of 2016

S.B. Sawant **.... Applicant**

Versus

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

1. Heard Shri S.S. Dere, the learned Advocate holding for Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri K.B. Bhise for the Respondents prays for time for filing reply.

3. Time as prayed for is granted.

4. Adjourned to 11.07.2016.

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

prk

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri A. Hamid Mulla (Member) A
APPEARANCE :
Shri/Smt. S.S. Dere
Advocate for the Applicant
Shri/Smt. K.R. Jagdale
C.P.O./ P.O. for the Respondent/s

Adj. To 11/7/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

DATE : 27/6/16

CORAM :

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

~~Hon'ble Shri A. Hamid Ansari (Member) A~~

A/

Shri G.A. Bandiwadekar

A/

K.S. Gaikwad .....

Adj. : 11/7/16.

Date : 27.06.2016.

M.A.No.85 of 2016 in O.A.No.198 of 2016

C.A. Vyavahare .... Applicant

Versus

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

1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for a week's time for filing reply.

3. Reply be filed to both O.A. and M.A..

4. Adjourned to 11.07.2016.

(A.H. Joshi, J.)
Chairman

prk

[P.T.O.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.579 OF 2016

DISTRICT : SOLAPUR

V.K. Pawar .... Applicant.

Versus

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

Shri R.G. Panchal, the learned Advocate for the Applicant.

Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 27.06.2016.

O R D E R

1. Heard Shri R.G. Panchal, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri R.G. Panchal for the Applicant prays for leave to amend for adding certain amendments.

3. Learned Advocate Shri R.G. Panchal undertakes to carry out the amendment tomorrow i.e. 28.06.2016 during the course of the day.

4. Leave as prayed for is granted. Amendment copy be served upon the Respondents.

5. Issue notice returnable on 18.07.2016.

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

7. 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.

8. 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.

9. 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.

10. Notice for final disposal. It is hoped that para-wise reply should be filed in order that the case can be taken up for final disposal.

11. S.O. to 18.07.2016.

(A.H. Joshi, J.)
Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.112 OF 2016

DISTRICT : THANE

S.S. Munj & Ors. .... **Applicants.**

Versus

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

Shri G.A. Bandiwadekar, the learned Advocate for the Applicants.

Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 27.06.2016.

O R D E R

1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. Shri K.B. Bhise for the Respondents has tendered affidavit affirmed by Shri Rajnish Seth, Principal Secretary (Special), Home Department, Mantralaya, Mumbai. It is taken on record.

3. On perusal of the affidavit it was found that :-

(a) The contents of the affidavit are wholly unsatisfactorily. It does not comply with the directions of this Tribunal as per order dated 16.06.2016.

(b) The affidavit of Shri Rajnish Seth, Principal Secretary (Special), does not answer to the contents of paragraph 4 of the order dated 16.06.2016.

4. This Tribunal had questioned to learned P.O. Shri K.B. Bhise whether Shri Rajnish Seth, Principal Secretary (Special) would be available personally. Learned P.O. had requested that the case may be kept back for some time.

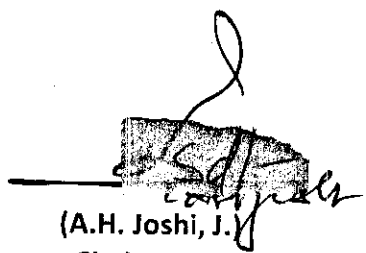
5. Later on when the case was called out Shri Rajnish Seth, Principal Secretary (Special) had arrived personally and has expressed remorse for improper affidavit and undertakes to file proper affidavit.

6. In the background that affidavit filed by Shri B.P. More, Deputy Director in the office of Director, Directorate of Forensic Science Laboratories, which is from page 48 of the paper book, does not deal with the averments contained in the O.A., may be because this Tribunal wanted him to answer limited questions. Be it as it may, let the affidavit answering each and every paragraph, averment and point be filed.

7. Shri Rajnish Seth, Principal Secretary (Special) is directed to file appropriate affidavit and while doing so he shall deal with each and every paragraph, averment and point raised in the O.A..

8. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

9. S.O. to 12.07.2016.



(A.H. Joshi, J.)
Chairman

prk

(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

O.A.586/2016

Dr. S. S. Chappalwar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

It appears that this matter was heard by the Hon'ble Vice-Chairman. Hearing the rival submissions, I direct that the matter be placed before the Hon'ble Vice-Chairman for the course of action considered appropriate. The matter be placed before that Bench tomorrow i.e. 28.6.2016.

Sd/-

(R.B. Malik)
Member (J)
27.06.2016

(skw)

DATE: 27/6/16
CORAM:
Hon'ble Justice Shri A.H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) A
ADVOCATE:
Shri/Smt. B.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt. K.S. Gaikwad holding for
CPO/P.O. for the Respondent/s
N.G. Gohad, P.O for the R/s.
Adj. To 28/6/16.

IRTO

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 27.06.2016.

O.A.No.405 of 2016

P.H. Wig **.... Applicant**

Versus

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

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. Shri N.K. Rajpurohit is directed to secure instructions on the following points :-

(a) Whether the chargesheet is likely to be issued to the Applicant and time frame thereto.

(b) Is the appeal preferred by the Applicant is likely to be taken up for hearing by any officer to whom it may be assigned by His Excellency the Hon'ble Governor.

(c) Statement be made on the next date.

3. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

4. S.O. to 22.07.2016.

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

prk

DATE : 27/6/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramakrishnan (Member) A
ADVOCATE :
for Applicant M.D. Lonkar
C.P.O. / P.O. for the Respondent/s N.K. Rajpurohit

Adj. To 22/7/16. Steno copy & Hamdast allowed

2

(G.C.P.) J 2260 (A) (50,000—2-2015) [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

(Presenting Officer.....)

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

R.A.42/2015 in O.A.254/2004

Shri R.N. Shinde ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

Shri Chandratre, the learned Advocate for the Applicant requests for time to file Misc. Application for condonation of delay. Time granted.

S.O. to 18th July, 2016.

Sd/- Sd/-

(R.B. Malik) (Rajiv Agarwal)
Member (J) Vice-Chairman
27.06.2016 27.06.2016

(skw)

DATE : 27/6/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
~~Shri/Smt.~~ C.T. Chandratre
Advocate for the Applicant
~~Shri/Smt.~~ K.S. Gaikwad
~~C.P.O.~~/P.O. for the Respondents
Reply filed by R.No. 2.
~~Adj. to~~ S.O. to 18/7/16.

PTO

2

(G.C.P.) J 2260 (A) (50,000—2-2015) (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

(Presenting Officer.....)

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

O.A.354/2015

Shri Mahesh M. Sapre ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant, Smt. K.S. Gaikwad for Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents 1 & 2 and Shri A.V. Bandiwadekar, the learned Advocate for Respondents 3,5,9,11 & 18.

The learned P.O. seeks an adjournment because the learned C.P.O. is in personal difficulty. The learned Advocate Shri Bandiwadekar strongly objects to the grant of adjournment inter-alia on the ground that it was decided that in as much as there is no stay from the Hon'ble High Court, this matter will be heard today. As far as the High Court matter is concerned, we are informed that the Writ Petition will be on Board of the Hon'ble High Court tomorrow (i.e. 28.6.2016). Considering the rival submissions and the objection of the learned Advocate Shri Bandiwadekar, we direct in the interest of justice that even as today, the matter is being adjourned but all arrangements must be made by the official Respondents to make sure that no adjournment is sought on the next date.

S.O. to 30th June, 2016.

DATE : 27/6/16
CORAM :
Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member)
APPEARANCE :
~~Shri/Smt.~~ Ms. S.P. Manchekar
Advocate for the Applicant
~~Shri/Smt.~~ K.S. Gaikwad
~~C.P.O.~~/P.O. for the Respondents no 1 & 2
A.V. Bandiwadekar for R. No. 3, 5, 9, 11 & 18.
Adj
S.O. to 30/6/16. PH
RA 23/152
RA 26/15.

Sd/-
(R.B. Malik)
Member (J)
27.06.2016

Sd/-
(Rajiv Agarwal)
Vice-Chairman
27.06.2016

(skw)

PTO