#### Tribunal's orders

#### O.A.713/2016

Shri V.M. Thakur Vs. ... Applicant

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

Heard Shri A.S. Golegaonkar, the learned Advocate for the Applicant and Shri Rajpurohit, the learned Chief Presenting Officer the Respondents.

Issue notice returnable on 24.08.20 to.

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

Applicant is authorized and directed serve on Respondents intimation / notice of disconsisting duly authenticated by Registry, around 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 und. Rule 11 of the Maharashtra Administration Tribunal (Procedure) Rules, 1988 and questions such as limitation and anternation remedy are kept open.

The service may be done by hand delived a speed post / courier and acknowledgement a obtained and produced along with amazvit compliance in the Registry within four week Applicant is directed to file Afficiavit compliance and notice.

S.O. to 24th August, 2016. The learner C.P.O. do waive service.

Sd/-

(R.B. Malik) Member (J) 27.07.2016

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27/2/16

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Shri Pis. Goleguon ber and.

for the policant.

Shri N. E. Rajputohit CPO

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Tribunai's orders

#### O.A.714/2016

Shri V.V. Thakur ... Applicant Vs.
The State of Mah. & ors. ...Respondents

Heard Shri A.S. Golegaonkar, the learned Advocate for the Applicant and Shri K.B. Brise, the learned Presenting Officer for the Respondents.

Issue notice returnable on 24.08.2013.

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

Applicant is authorized and directed serve on Respondents intimation / notice of data 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 unall. Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and questions such as limitation and alternative remedy are kept open.

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

S.O. to 24th August, 2016. The rearnest C.P.O. do waive service.

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(R.B. Malik) Member (J) 27.07.2016

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Tribunal's orders

## O.A.624/2016

Shri S.H. Salvi

... Applicant

Vs.

The State of Mah. & ors.

.. Respondents

Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Snri .... Rajpurohit, the learned Chief Presenting Omean for the Respondents.

Issue notice returnable on 24.08.20:31

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

Applicant is authorized and directed serve on Respondents intimation / notice of data of hearing duly authenticated by Registry, around with complete paper book of O.A. Respondents are put to notice that the case would be taited 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 questions such as limitation and anerman remedy are kept open.

The service may be done by hand denyers. / speed post / courier and acknowledgement as obtained and produced along with amazvit compliance in the Registry within four weeks Applicant is directed to file Africavit compliance and notice.

S.O. to 24th August, 2016. The learn and C.P.O. do waive service.

> Sd/-(R.B. Malik)

Member (Ji 27.07.2016

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27/7/16

Conau- Hon'shi R.B. malik (on.7) Sho i v. P. Potbrac Pdy for the Applicant. Shri N. K. Rajperoll CPO

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Original Application No. "	<u>,                                    </u>	f 20	DISTRICT	•
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## C.A.45/2016 in O.A.215/2016

Shri S.N. Mokar & Ors. ... Applicants
Vs.

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

Heard Shri K.R. Jagdalehare, the learned Advocate for the Applicants and Shri K.B. Billise the learned Presenting Officer 101 Respondents.

The learned P.O. is being instructed by Mar. A.A. Kapole, Superintending Engineer, Pune. And order of 25th July, 2016 i.e. the day perintending yesterday would show that the name of the Applicant has been included on that very day. As of today, I make no other observation, save and except that the Respondents must like and Affidavit on the next date, failing which the characteristics.

S.O. to 3<sup>rd</sup> August, 2016.

Sd/-(R.B. Malik) <- i : Member (J) 27.07.2016

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of 20 DISTRICT Original Application No. .... Applicant. (Advocate ......) nersus The State of Maharashtra and others .... Respondents (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders

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

## C.A.60/2016 in O.A.155/2016

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

Heard Shri Prashant Suryawansni noidina for Shri G.M. Savagave, the learned Advocate 101 the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Shri Bhise, the learned P.O. is believed instructed by Shri V.P. Ghodke, under Secretary, P.H.D.

The copy of the order of 18th July, 2010 a taken on record which shows that the Applicant has been posted as Medical Superintendent in the Rural Hospital, Chandgad, Kolnapur. learned P.O. informs that this is one or the three places of the choice of the Applicant. I nat petite the state of affairs, the CA is disposed or with and order as to costs.

Sd/-

(R.B. Malik) 27 Member (J) 27.07.2016

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Original Application No. .... Appneanus (Advocate .....) versus

The State of Maharashtra and others

.... Respondent

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

(Presenting Officer.....)

#### Tribunal's orders O.A.828/2015

Shri K.B. Mahajan & Ors. ... Applicants The State of Mah. & ors. ... Respondents

The first Respondent is present. Health Shri N.K. Rajpurohit, the learned CPO norman for Shri K.B. Bhise, the learned Presentation Officer for the Respondents.

The learned CPO confirms that he has now received the full copy of the OA. The Approximation is warned to be particular in the matter attendance henceforth.

S.O. to 10th August, 2016.

Sd/-

(R.B. Malik) Member (J) 27.07.2016

Graw-Honshi R.B. malik Graw-Honshi R.B. malik fre first respondent is present. Fre N. K. Pay Andoluic CPO Fre the Proson Luke holding for the Proson Luke holding for k.B. Buise for the perputats

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## O.A.355/2016

Shri K.P. Patil ... Applicant Vs. The State of Mah. & ors. ...Respondents

Heard Shri A.V. Bandiwadekar. learned Advocate for the Applicant and Snri N.... Rajpurohit, the learned Chief Presenting Omcer for the Respondents.

The Affidavit-in-reply of the 1st Respondent is taken on record. The learned CPO information that the 2nd Respondent does not want to all Affidavit-in-reply. The learned CPO informs that this statement is made by me on the basis of that communication received from MPSC gates 18.5.2016. Adjourned for Rejoinder to de-August, 2016.

Sd/-

(R.B. Malik) Member (J) 27.07.2016

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Reply filed by respondent

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NO 1: 24 18716.

Original Application No. " ..... Appneant/s The State of Maharashtra and others .... Respondente (Presenting Officer,,,,) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or

directions and Registrar's orders

## M.A.297/2016 in O.A.432/2016

Shri P.P. Lokhande ... Applicant Vs. The State of Mah. & ors. ... Respondents

Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. A.B. Kolough. learned Presenting Officer for the Respondents.

This is an application for amenament of the OA basically to incorporate the subsequent event, the learned P.O. wanted time to me reprebut regard being had to the nature of the amendment and the cause thereof, there is the point in prolonging the matter any further. at so happens that pending administrative appear las being decided on 12.7.2016, and therefore. facts thereto concerned and the documents area Even as .... being sought to be produced. Respondents may file additional Amaavit-IIreply, I do not think, they can block the anowing of the amendment application itself. The MILEC. Application is allowed. The amendment as DCI the Schedule 'A' be effected within a period a one week. The amendment as per Schedule in is also allowed. A consolidated copy of the Unafter amendment be filed and the copy therec. be furnished to the learned P.O. The lyad at allowed in these terms with no order as to costs.

Sd/-

(R.B. Malik) Member (J) 27.07.2016

(skw)

Shori fim. kolge our for the officam. Sont D.B. Kololsi p.o. for the Respondents.

order present in mais priored, with no order as to COSLS.

Tribunal's orders

## O.A.695/2016

Shri P.R. Borse & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents

Shri A.V. Bandiwadekar. Heard learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenume Officer for the Respondents.

CPO seeks The learned adjournment for filing Affidavit-in-reply. By H. order of 14th July, 2016, I had made it clear that the Affidavit-in-reply must be filed on 25 out. 2016. On that day also, the reply was not mee and today also as mentioned above, the learned CPO seeks further time. In fact, guring course of the debate, I have heard the parties extensively and I make it clear that even as accede finally to the request of the learned CPO on the next date, regardless of whether the repriis filed or not, an interim order one way or allo other will be made because the examination nas been scheduled on 21st August, 2016 and in the absence of any order or enabling source. And Applicants may be permanently deprived of their right to take the examination. The copy/copie. of the reply be furnished to the other side by in-August, 2016.

S.O. to 3rd August, 2016. Hamdast.

Sd/-(R.B. Malik) Member (J) 27.07.2016

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Original Applicati	on No.	of 2	0	District	av i ta i i
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Advocate			)		
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# O.A.512/2016

Shri D.A. Gavade ... Applicant Vs.

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

Heard Shri A.V. Bandiwadekar, unlearned Advocate for the Applicant and Shri A.A. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

I have perused the earlier order of the Hon'ble Chairman dated 28th June, 2016. As a today, I may only record that as per instructions given by Mr. Gajanan B. Guide. Under Secretary, GAD to the learned CFO. DPC has been held so far and the name of the Applicant has also been included as per the directions of the Hon'ble Chairman. On the request of the learned CPO, a communication of 27th July, 2016 along with the Annexure retained on record. Adjourned to 24th August 2016.

Sd/-

(R.B. Malik) Member (J) 27.07.2016

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

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Original Application No.

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## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders O.A. No.323 of 2014 Maharashtra Govt. Polytechnic Teachers Welfare Association, Mumbai ...Appneames Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, reamed Advocate for the Applicants and Smt. K.S. Gaikwau. learned Presenting Officer for the Respondents. This OA presents for determining the issue or validity of the recruitment rules for the post of Teachers in Government Polytechnic. It is also and action brought by an association which does not appears to have been recognized by the GAU. That being the state of affairs, we girect notice rebe issued to the learned Advocate General. Maharashtra and also to the applicants to satisfy us with regard to the validity of the action as wen as other aspects of the matter. The office to comply. S.O. to 7.9.20 lb. CORAM: Hon'ble Shri: RAJIV AGARWAL (Vice - Chairman) (Rajiv Agarwai) Hon'ble Shri R. B. MALIK (Member) J Member (J) Vice-Chairman APPEARANCE: Bhrisan A. V. Bandicasa delan 27.7.2016 27.7.2016 (sgj)

Advocate for the Applicant Birty 12.5. Gailerad G.P.O / P.O. for the Respondents

## in the mananashira administrative tribunal **MUMBAI**

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

of 20

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Original Application No.

of 20

### FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

#### 27.07.2016

#### No 746/2016

Shri D.B. Bagayatkar Vs.

... Applicant

The State of Maharashtra & Ors... Respondents

- Heard Shri R.G Panchal, learned advocate 1. for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.
- 2. Issue notice before admission made returnable on 24.8.2016.
- Tribunal may take the case for mna. disposal at this stage and separate notice for final disposal need not be issued.
- 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 107 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 atternate remedy are kept open.
- The service may be done by Hand delivery. speed post, courier and acknowledgement be obtained and produced along with affidavit or compliance in the Registry within one week. Applicant is directed to file affidavit of compnance and notice.
- S.O 24.8.2016.

Vice-Chairman

Akn

DATE: 2-7

CORAM:

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

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

Advocate for the Applicant

Shortand . K.S. G

C.P.O. P.O. for the Respondents No. 1,

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

#### 27.07.2016

#### O.A No 758/2016

Smt R.S Indalkar

... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

- 1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri N.A. Rajpurohit, learned Chief Presenting Officer for the Respondents.
- 2. Issue notice before admission made returnable on 24.8.2016.
- 3. Tribunal may take the case for man disposal at this stage and separate notice for man disposal need not be issued.
- 4. Applicant is authorized and directed 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 unaquestions such as limitation and atternate remedy are kept open.
- 6. The service may be done by Hand delivery speed post, courier and acknowledgement by 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 24.8.2016.

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Vice Chairman

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon ble Shri. R. B. MALIK (Member)

APPEARANCE:
Shriften A. V. Boundi coadoloon
Advocate for the Applicant
Shri Shri. L. R. C. Duno bi
C.P.O. L. C. the Respondents

11 5.0. to 24/8/16.

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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. Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders MA.173/15 in CA.1 to 14/12 (Aurangabaq) and CA.118/14 in OA.787 of 1995 & Ors. Smt. Sujata M. Saunik, Principal Secretary, Public Health Department & Ors. Vs. ..Kesponaem Shri Kakasaheb S. Shelke Heard the alleged Contemnor with Snri S.... Nair, Special Counsel with Shri K.B. Bhise, learned Presenting Officer for the Applicants-original Respondents and Shri M.D. Lonkar, learned Amicas Curiae. An affidavit with some annexures ..... ultimately been handed over to us a little late and therefore this matter stands adjourned to 18.8.2010. DATE: 2-7 (Kajiv Agajwai) (R.B. Malik) CORAM: Vice-Chairman Member (J) Hou'ble Shri. RAJIV AGARWAL 27.7.2015 27.7.2016 (Vice Chairman) Hon bar Mail R. B. MALIK (Member) J (sgj) 5 K. Mais cocused for with Shri Zan M.D. Lonker CHOTP.O. for the Respondents Amicus queles

Tribupal's orgers

27.07.2016

# M.A 259/2016 in O.A No 226/2016

Shri G.S Musmade

... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard Shri D.B. Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

This Misc Application has been med seeking to amend the Original Application as per Schedule-I & II.

Schedule-I seeks to bring two amendments What which learned Advocate Shri Khaire states that the said amendments are based on facts. The concerned documents are already placed Ga. record in the O.A.

Schedule-II is an order by which the Applicant was punished under Rule 10 or tra-M.C.S (Discipline & Appeal) Rules, 1979 by the Commissioner of Agriculture by order dated 10.8.2011 in the same case.

The claim of the Applicant is that he cannot be punished twice for the misconduct.

Learned P.O opposed to the proposed amendment contending that they are not verrelevant and the Applicant should be asked to me a fresh O.A because the proposed amenament will change the nature of the O.A.

On perusal of the record and proceedings. am not convinced that the Applicant is seeking any new relief or making any new grounds. Only the facts which are on record already are sought to be put in sharp focus.

Considering these facts, M.A to amena the O.A is allowed. Learned Advocate Shri Knaire states that he will amend the O.A within two weeks and serve the amended copy on the Respondents.

O.A to be placed on Board on 10.8.201c.

DATE: 27/7/16 CORAM: Hon'ble Shri. RAJIV AGARWAL

(Vice - Chairman)

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

APPEARANCE:

Stri/Sme D. B.

Advocate for the Applicant

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C.P.67 P.O. for the Respondents allocerec

D.A. Adj. to

Akn

#### 27.07.2016

#### O.A No 683/2016

Ms Ashwini S. Bhosale

... Applicant

Vs

The State of Maharashtra & Ors... Respondents

Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwau. learned Presenting Officer for the Respondent no. 1 and Shri M.D Lonkar, learned advocate to. Respondent no. 2.

Learned Advocate Shri Lonkar nas made very serious allegations that the Applicant without getting any orders from the competent authority, on her own went to the office of the Dy.S.P, A.C.B., Osmanabad and in the absence of Respondent no. 2 occupied the office and ausosealed that office.

Learned Advocate Shri Bandiwadekar stated that the Applicant has obtained orapermission from the S.P, Aurangabd and nas meathe D.G.P after taking written permission from S.P., Aurangabad.

Considering the facts and the allegations and counter allegations made by the parties, the following order is passed.

- The Applicant will not go to the office of Dynamics. S.P., A.C.B. Osmanabad till the final disposar or the O.A.
- Respondent no. 1 should file affidavit and produce the relevant record on the next date.
- If the Applicant wants to file rejoinder the reply filed by Respondent no. 2, the may do so before the next date.

O.A will be heard finally on 2.8.2016. Handen

. Vice-Chairman

DATE: 27/7/16 CORAM:

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

Hon ble Stat R. B. MALIK (Member)

APPEARANCE:

Store A.V. Bandicadel

Advocate for the Applicant

Shrirsmi : 14.5. Cece 2000 C.P. 67 P.O. for the Respondents 1000 . | Reply Hed by R. No. 12/8/16

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Tribunal's orders

## O.A.623/2016

Shri V.V. More

... Applicant

Vs.

The State of Mah. & ors. .. Respondents

Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Shri N.A. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

Issue notice returnable on 24.08.2016.

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 or compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 24th August, 2016. The learned C.P.O. do waive service.

Member (J) 27.07.2016

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