

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

Tribunal's orders

Date : 27.10.2016

O.A. No.1033 of 2016

S.B. Tokare & Ors Applicant

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Shri K.R. Jagdale, the learned Advocate for the applicants and Ms N.G. Gohad, the learned Presenting Officer holding for Shri A.J. Chougule, the learned P.O. for the Respondents.

2. The matter is placed before me for consideration of urgent order. The learned P.O. informs that an arrangement is being proposed, whereby in some cases one of the spouses would be given the appointment (Husband or Wife). Be it as it may, it seems that the applicants are holding the job for quite some time and in some cases from 1998.

3. I am, therefore, quite clearly of the view that the applicants cannot be left unprotected. The fact that these applicants are holding the job as of today is defined as status quo and the parties are directed to maintain it till the date next to filing of the reply.

4. Issue notice returnable on 22.11.2016.

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 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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

9. S.O. to 22.11.2016. Learned P.O. do waive service.

Sd/-

(R.B. Malik)
Member(J)

DATE: 27/10/16

CORAM:

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

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

APPEARANCE:

Shri/Smt. K.R. Jagdale

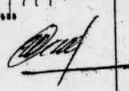

Advocate for the Applicant

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

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

Adj. To

S.O. to 22/11/16.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 27/10/16</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u> Shri/Smt. Punam Mahajan Advocate for the Applicant Shri/Smt. K. B. Bhise C.P.O / P.O. for the Respondents</p> <p>Adj. To: S.O. to 7/11/16. </p>	<p>Date : 27.10.2016</p> <p>O.A. No.812 of 2016</p> <p>G. A. Kamble Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Smt Punam Mahajan, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. The learned P.O. seeks further time to file response to the Vice-Chairman's order of 05.10.2016. It appears quite clearly that there is no serious attempt to respond to an order which basically proceeds on some faith and confidence in the said authority. 3. The learned P.O. cites Law & Order problem in Pune. No details are furnished in that behalf. 4. Smt Punam Mahajan, the learned Advocate submits a list, showing how personals governed by the same impugned order except the applicant have the benefits by the order of the respective transfer and the applicant is the only one who is remained. 5. Original Application is adjourned finally to 07.11.2016 on which date either the respondents should make an appropriate statement in line that the order of the Hon'ble Vice-Chairman or the Original Application shall be heard. Hamdast. 6. S.O. to 07.11.2016. <p style="text-align: right;">Sd/-  (R.B. Malik) Member(J)</p> <p>VSM</p>

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 : 27.10.2016

O.A. No.939 of 2016

S.P. Kalgutkar Applicant

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Smt Punam Mahajan, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer holding for Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Affidavit-in-reply is taken on record.

3. The learned Advocate informs that the applicant does not want to file rejoinder.

4. Original Application is admitted and fixed for final hearing on 15.11.2016.

DATE: 27/10/16

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

Chief P.O. for the Respondents

Reply filed by R.No.4.

Adj. T.C. O.A. is admitted.

S.O. to 15/11/16.

Sd/-

(R.B. Malik)
Member(J)

VSM

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>27/10/16</u></p> <p>CORAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) J</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> C.P.O / P.O. for the Respondents</p> <p>Adj. To <u>S.O. to 24/11/16.</u></p>	<p>Date : 27.10.2016</p> <p>O.A. No. 1040 of 2016</p> <p>Y.H. Mane Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the applicant and Smt Archana B.K., the learned Presenting Officer for the Respondents. 2. Issue notice returnable on 24.11.2016. 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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice. 7. S.O. to 24.11.2016. Learned P.O. do waive service. <p>Sd/-</p> <p>(R.B. Malik) Member(J)</p> <p>VSM</p>

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

Tribunal's orders

O.A.859/2016

Shri J.L. Itewad ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

The learned CPO is being instructed by Dr. Sudin Gaikwad, Dy. Secretary (Estt).

There is a detailed order of the Hon'ble Chairman of 1.9.2016 with particular reference to Paras 7 to 12 thereof. The Respondent No.2 - Principal Secretary, Cooperation and Marketing was directed to submit the reply to the points in Paras 7A to D. It was made clear that if the compliance was made in that direction, then even the Affidavit-in-reply would not be necessary to be filed. Even if Para 9 of that order is perused, that did not absolve the said Principal Secretary from complying with Para 7 as to its various Sub-clauses. The said Principal Secretary, Cooperation and Marketing has clearly treated the process of this Tribunal disdainfully and I would have personally today itself. However, that aspect of the matter is not closed and is left open due to the earnest request made by Smt. Gaikwad, the learned PO. It is made clear that whatever way the OA progresses, the issue of an action against the said Principal Secretary will be a separate one, and therefore, he should be well advised not to take it lightly. A copy hereof be furnished to be forwarded to him for his information.

The matter relates to the suspension of an employee for about one and half years now without any headway having been made. In the first instance much more than sufficient time was given by the Hon'ble Chairman. There is no other-go but to expedite the hearing of this OA. I appoint it for final hearing regardless of whether the Affidavit-in-reply is filed or not, but if it is to be filed, it must be filed on that day just before the hearing commences. It is also made clear that pursuant to the order of the Hon'ble Chairman above referred to and even otherwise, the pendency of this OA before this Tribunal will not come in the way of the Respondents taking an appropriate decision in the matter of Applicant's suspension even during the period from today till 18th November, 2016. With these abundant clarifications, the OA is listed for final hearing on 18th November, 2016. Hamdast.

DATE: 27/10/16

CORAM:

Hon'ble Shri. RAHV AGARWAL
(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member) ↓

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

CPO/PO. for the Respondents

Adj. To S.O. to 18/11/16

FH
@/cc

Sd/-

(R.B. Malik)
Member (J)
27.10.2016

(S)
27-10-16

(skw)

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
<p><u>DATE: 27/10/16</u></p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri. R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant Shri/Smt. <u>K. S. Gaikwad</u> C.P.O / P.O. for the Respondents</p> <p>Adj. To <u>O.A. is admitted.</u> <u>S.O. to 2/12/16.</u> </p>	<p>Date : 27.10.2016</p> <p>O.A. No.483 of 2016</p> <p>M.B. Todkar & 2 Ors. Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, the learned Advocate for the applicants and Smt Kranu Gaikwad, the learned Presenting Officer for the Respondents. 2. Shri M.D. Lonkar, the learned Advocate for the applicants submits that the applicants do not want to file rejoinder. 3. Original Application is admitted and kept for final hearing on 02.12.2016. <div data-bbox="1021 1691 1340 1825" style="border: 1px solid black; width: 150px; height: 50px; margin: 10px auto;"></div> <p style="text-align: center;">Sd/- (R.B. Malik) Member(J)</p> <p style="text-align: right;">27/10/16</p> <p style="text-align: center;">VSM</p>

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

Tribunal's orders

Date : 27.10.2016

O.A. No. 1045 of 2016

D. M. Shinde

.... Applicant

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Shri S.D. Dhongde, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Issue notice returnable on 28.11.2016.
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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.
7. S.O. to 28.11.2016. Learned P.O. do waive service.

DATE: 27/10/16

CORAM:

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

Hon'ble Shri R. B. MALIK (Member) ✓

APPEARANCE:

Shri/Smt. S.D. Dhongde

Advocate for the Applicant

Shri/Smt. K. B. Bhise

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

Adj. to S.O. to 28/11/16.

Sd/-

(R.B. Malik)
Member(J)

VSM

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

Tribunal's orders

Date : 27.10.2016

O.A. No. 1030 of 2016

S.N. Bendake & Ors. Applicants

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the applicant and Smt Kranti Gaikwad, the learned Presenting Officer holding for Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 09.11.2016.

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 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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 09.11.2016. Learned P.O. do waive service.

8. Liberty is reserved for the applicants to seek interim relief on the next date.

DATE: 27/10/16

CORAM:

Hon'ble Shri. RAHVAGARWAL
(Vice-Chairman)

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To S.O. to 9/11/16.

Sd/-

(R.B. Malik)
Member(J)

**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

27.10.2016O.A No 385/2016

Shri P.V Kohok ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned Advocate Shri Lonkar has made a general complaint that though notices are tendered for signature, the Registry does not sign it for two to three days. Registrar is directed to call factual information from officers who are authorized to sign the notices and ensure that in future notices are signed and delivered as far as possible there and then without concerned being required to come there to collect the same on later time.

3. Registrar is directed to report compliance of this order.

4. Learned Presenting Officer tenders affidavit in reply. It is taken on record.

5. Learned Advocate Shri Lonkar is at liberty to move in the month of January, 2017.

Sd/-

(A.H Joshi, J.)
Chairman

DATE: 27/10/16CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:Shri/Smt: M.D. Lonkar

Advocate for the Applicant

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

Adj. To: Ld. Advocate shri Lonkar
is at liberty to move in the
month of January, 2017.

BHE

**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

27.10.2016

C.A 31/2016 in O.A No 914/2013

Dr H.B Hankare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms Swati Manchekar, learned advocate for the Applicant and Ms Archana B.K, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer states as follows:-

a) That office of Accountant General has issued order sanctioning payment of gratuity of a sum of Rs. 5,23,105/- and bill has been submitted to the Treasury for payment.

b) Even order is passed granting encashment of leave for 22 days and bill in relation thereto would be submitted to the Treasury today.

3. For reporting further compliance, adjourned to 11.11.2016.

DATE: 27/10/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : S.P. Manchekar

Advocate for the Applicant

Shri/Smt. : Archana B.K

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

Adj. To 11/11/2016

[Handwritten initials]

Sd/-

(A.H Joshi)
Chairman

Akn

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
-------------------------------------------------------------------------------------------------------------	-------------------

27.10.2016

C.A 53/2015 in O.A No 697/2012

Shri D.M Barmase ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.P Potbhare, learned advocate for the applicant and Ms Archana B.K, learned Presenting Officer for the Respondents.
2. At the midst of hearing, learned Advocate for the Applicant states as follows:-
 - a) He realizes that the Contemnors have not been served individually and personally that the contempt is committed. Therefore, he would like to withdraw the application with liberty to serve personal notice to the Contemnors and point out to them that they have committed contempt and give them 30 days' time and thereafter file fresh application.
3. Application is disposed of as withdrawn with liberty to file fresh Application.

DATE: 27/10/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. V.P. Potbhare

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Application is disposed of as withdrawn with liberty to file fresh application.

ME

Sd/-

(A.H Joshi, J.)
Chairman

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
<p>DATE: <u>27/10/16</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Heard Appl. in person</u> Advocate for the Applicant Shri/Smt. <u>K.B. Bhise</u> P.O / P.O. for the Respondent/s</p> <p>A.H. To <u>11/11/2016</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p><u>27.10.2016</u></p> <p><u>C.A 101/2014 in O.A No 476/2012</u></p> <p>Shri V.V Rane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Applicant in person and Shri K.B Bhise, learned Presenting Officer for the Respondents. 2. Learned Presenting Officer states on instructions from Dr Annasaheb Khemnar, Director, Institute of Science as follows:- <ol style="list-style-type: none"> a) The bill towards payment of arrears which are worked out on the basis of the modified Government decision is submitted. 3. According to the Applicant, the order has to be passed by the Director, Institute of Science for taking action on the basis of the Government decision and if any such order is passed, copy of the same to be supplied to the Applicant. 4. Learned P.O on instructions states that copy will be supplied to the Applicant today itself. 5. Adjourned for further hearing on 11.11.2016. <p style="text-align: right;">  Sd/- (A.H Joshi, J.) Chairman </p>