DATE: 28 3 16 CORAM:

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

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

APPEARANCE:

Shri/Smt + K. R. Jagdoles

Advocate for the Applicant

Shri Best: N.K. La perolle T C.P.O.L.P.O. for the Respondents. Onder passed in the Leibrenals = okenn

O.A. es disposed of

O.A. No.281 of 2016

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

- 2. This OA does not brook any delay for disposal and is, therefore, being disposed off here and now.
- 3. It is made clear that I proceed to make order hereon effectively rejecting the request of the Ld. CPO for time to file affidavit in reply and the justification will become clear as the order proceeds.
- The applicant has suffered an order of removal from service at the hands of the disciplinary authority on the allegations of bigamy. I am not called upon nor do I express any opinion at all on the merit of the matter. I also do not bind the concerned appellate authority with any of my observations. The fact is that the appeal against the order of removal from service was lodged on 15.4.2013 and the appeal itself has not been decided so far and that is the ultimate relief viz. the decision of the appeal that is sought in this OA. In my view the appeal has become more than over due for decision and, therefore, the concerned appellate authority seized of the appeal must decide it within a period of eight weeks from today. It is accordingly so directed. The concerned appellate authority to decide the appeal within eight weeks from today and communicate its decision within one week thereafter. The OA is disposed off in these terms with no order as to costs.

Sd/-

(R.B. Malik) 28.3 16 Member (J) 28.3.2016

(sgj)

Asstt. Registrar / Eesearch Officers
Maharashtra Administrative Eribunal

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Original Application No.	of 20 District
	And the second s
	Applicant/s
(Advocate	
	versus
The State	of Maharashtra and others
	or ritarial asits a and officers
	Respondent/s
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(Presenting Officer)
Office Notes, Office Memoranda of Coram,	
Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	0.4.27.115.00016
	O.A. No.115 of 2016
. •	Heard Shri A.V. Bandiwadekar, learned
	Advocate for the Applicant and Miss Neelima
The second secon	
	Respondents.
	2. The affidavit in rejoinder is taken on record.
	Admit. To be placed before appropriate bench along
	with OA No.65 of 2016. Affidavit in sur-rejoinder,
	if any, must be filed on the next date and not
	1 0 000 (400)
	thereafter. S.O. to 6.4,2016.
	Sd/-
	(R.B. Malik)
DATE: 28 316	Member (J)
CORAM:	28.3.2016
Hon'ble Shri. PAHVAGARWA	
Handhla Chri B. P. Addition (M. A.	(sgj)
Hon'ble Shri R. B. MALIK (Member)	
APPEARANCE:	
ris A. U. Bandecoolek	^
Advocate for the Applicant	
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Original Application No. of	20 DISTRICT
	Applicant/s
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	versus
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The State of	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.As. No.1048 & 1049 of 2015
	Heard Shri A.V. Bandiwadekar, learned
	Advocate for the Applicants and Shri A.J. Chougule,
	learned Presenting Officer for the Respondents.
	2. Ld. PO's request for last chance for filing
	affidavit in reply is strongly opposed by Shri
	Bandiwadekar, Ld. Advocate. OA is set down
	finally for filing affidavit in reply. It is made clear
	that regardless of whether reply is filed or not the OA
1	shall proceed to its next stage. S.O. to 4.4.2016.
DATE: 28/3/16	Sd/-
CORAM:	(R.B. Malik)
Hon'ble Shri. RAJIV AGARWAL	Member (J)
- (Vice - Chairman) - (Vice - Chairman) - (Hon'ble Shri R. B. MALIK (Member) -	28.3.2016
APPEARANCE:	(sgj)
Suism. All Bandicoods	
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Original Application No. of	20 DISTRICT
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(Advocate	·······)
	versus
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The State of	f Maharashtra and others
	Respondent/s
(Presenting Officer	······························)
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Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	O.As. No.1048 & 1049 of 2015
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	Heard Shri A.V. Bandiwadekar, learned
	Advocate for the Applicants and Shri A.J. Chougule,
•	learned Presenting Officer for the Respondents.
	5
	2. Ld. PO's request for last chance for filing
	affidavit in reply is strongly opposed by Shri
	Bandiwadekar, Ld. Advocate. OA is set down
	finally for filing affidavit in reply. It is made clear
	that regardless of whether reply is filed or not the OA
	shall proceed to its next stage. S.O. to 4.4.2016.
DATE: 28316	Sd/-
CORAM:	
Hon'ble Shri, RAJIV AGARWAL	(R.B. Malik)
- (Vice-Chairman)	Member (J) 28.3.2016
Hon ble Shri R. B. MALIK (Member)	
APPEARANCE:	(sgj)
Advocate for the Applicant Shri Smt A T. Chougell	
Shri Smt	
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Original Application No. of	DISTRICT
	Applicant/s
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	versus
The State of	of Maharashtra and others
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	Respondent/s
(Presenting Officer)
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	O.As. No.1048 & 1049 of 2015
	Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
	2. Ld. PO's request for last chance for filing affidavit in reply is strongly opposed by Shri Bandiwadekar, Ld. Advocate. OA is set down finally for filing affidavit in reply. It is made clear that regardless of whether reply is filed or not the OA shall proceed to its next stage. S.O. to 4.4.2016.
DATE: 28/3/16	Sd/-
CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice-Cheirman) Hon'ble Shri R. B. MALIK (Member)	(R.B. Malik) / Member (J) 28.3.2016
STITISH A.U. B. SENCLICOSOCIETO	(sgj)
Advosate for the Applicant Shri/Emt. A. T. Chougeale CPCTP.O. for the Respondents	
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Original Application No.	20 District
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	versus
The State of	of Maharashtra and others
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	Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
directions and negistrars orders	O.A. No.54 of 2016
	Heard Shri Sandeep Dere, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents. 2. Shri Dere, Ld. Advocate submits that order dated 1.3.2016 issued by respondent no.2 came to be served on the applicant, who is present in the court just now, on 15.3.2016. See my order dated 2.2.2016. By order dated 1.3.2016 the applicant has been reverted to the post of Senior Clerk from the post of Head Clerk. Therefore, I direct that the effect thereto shall be held in abeyance till 4.4.2016. With this direction this OA stands disposed off with liberty to institute another OA on the same cause of action read in the light of the subsequent developments. No order as to costs. Hamdast.
DATE: 28 316	✓ Sd/-
CORAM:	
Hon'ble Shri. RAJIV AGARWAL (Vice Cherryan)	(R.B. Malik) 28/3/16 Member (J)
Hon'ble Shri R. B. MALIK (Mondoor)	28.3.2016
APPEARANCE:	(sgj)
Surs S.S. Dere	
Advocate for the Applicant Ship Sant Holds Post pulso in the C.P.O (P.O. Ter the Respondents	
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date: 28.03.2016.

C.A.No.101 of 2014 in O.A.No.476 of 2012

- Heard Applicant in person and Shri K.B. Bhise, the learned Presenting Officer for the Respondent.
- Applicant's claim that certain monetary demands of the applicant which according to him, are part of legal dues, remain unfulfilled. Applicant has shown narration in the following manner:
 - (a) Date of fixation of pay in the post of Director should have been given effect from 01.08.2000 instead of 16.06.2000. (Narration is seen in paragraph 3 at page 114 of the O.A. paper book).
 - (b) Deficiency in calculation of pension based on actual pay at correct rate (as explained in paragraph 7 at page 191 of the O.A. paper book).
 - (c) Grade pay of Rs.12,000/- for the post of Director based on U.G.C.'s policy decision circular (as narrated in paragraph 8, page 192 of the O.A. paper book).
 - (d) Increment due to Ph.D (as seen in the 1st paragraph at page 188 of the O.A. paper book).
 - (e) Consequential payment of arrears on all these claims and payment on interest of delay arrears.
- 3. This Tribunal is of the considered view that these demand should be first arranged in the sequence of date of eligibility, as claimed by the applicant, and thereafter Respondents should examined eligibility, take decision of action thereof and such of the points which seems to be worth contested should be replied by filing affidavit.
- 4. Applicant undertakes to furnish to the Respondents to redrawn summary of demand along with date of sequence.
- 5. S.O. to 27.04.2016.

Sd/-

(A.H. Joshi, J.) Chairman

DATE: 292

CORAM:

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

APPEARANCE:

Shrish : Appl in lesson.

Advotete for the Applicant

Shri/Sm. Bhise C.P.O. P.O. for the Respondent's

Adj. To. 22 4 16.

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		Date: 28.	03:2016.	O.A. No. 20	6/2016.	
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		Responde		ou i resciniii	g Officer	Tor the
		rcsponde	51115.			
	,	(2) L	earned P.O	prays for t	hree wee	ks time
		for filing	affidavit in	reply.		•
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		adjournm	ent would	be necessary	<i>I</i> .	•
		(4) H	ence adiou	rned to 3.05	2016.	•
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DATE: 28/3/16				Sd/-		
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Hon'ble Justice Shri A. H. Joshi (Chairman)		·Psz		Chairma	ın`	
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APPEARANCE:			* 2 2 1			
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Advoscie for the Applicant Shrit/Sint: K.S. Fai Wa					•	
C.P.O / P.O. for the Respondent/s		·			•	
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Adj. To. 3/5/16	1					
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Original Application No.	of 20		DISTRICT
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(Advocate)		
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Appearance, Tribunal's orders or	,	Tribunal	s orders

DATE: 28316 CORAM:

Hon'hle distice Shri A. H. Joshi (Chairman)

Hon the Shri M. Rameshkumar (Member) A

APPEARANCE:

Sharson . R.m. Kolac

Advocate for the Applicant

Shri/Smt. D.J. Chaughe C.P.O/P.O. for the Respondent/s

Adj. To ... 5416.

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Date: 28.03.2015. O.A. 952/2015

- (1) Heard Shri R.M. Kolge, the learned Advocate for the applicant and Shri A.J. Chougule, the learned Presenting Officer for the respondents.
- (2) Learned Presenting Officer has tendered affidavit. It is taken on record.
- (3) Learned advocate for the applicant prays for time to consider the reply and file rejoinder only if necessary.
- (4) S.O to 5.04.2016.

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Sd/-

(A.H. Joshi, 1.)

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Original Application No. of	20 District
	Applicant/s
(Advocate)
	versus
The State o	of Maharashtra and others
	Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coram, Appearance, Tribanal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 28.03.2016.
	O.A.No.1253 of 2009
	Learned Advocate Ms. S.P. Manchekar for the
	Applicant has filed a leave note.
	2. In view of leave note, Adjourned to 29.04.2016.
	Sd/-
	(A.H. Jošhí, J.) Chairman
	prk
DATE: 28 316	
CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)	
ion's: the M. Rameshkumar (Member) A	
SENIORANCE:	
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But Smith K.B. Bhise	
LPO / P.O. for the Respondent/s	

Original Application No. 20 Company	of 20		DISTRICT	er andra deserva
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(Presenting Officer	***************)		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tr	ribunal's orders	
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Date: 28.03.2016. (D.B. Matter)

Æ.A. No. 133/2015 in O.A. No. 1051/2012

- (1) Heard Shri A.V. Bandiwadekar, the learned Advocate for the applicant and Ms. N.G. Gohad, the learned Presenting Officer for the respondents.
- (2) Shri Vijay A. Jagkar, Assistant, Social Justice and Special Assistance Department is present in the Court.
- (2) Learned P.O states as follows:
 - (i) The order passed on 14.03.2016 was not communicated to the respondents.
 - (ii) Two weeks time may be granted for communication of the order.
- (3) In view of the request of learned P.O S.O to 4.04.2016.

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Sd/-

(A.H. Joshi,)

DATE: 28/3/16 CORAM:

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

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Adj. To......4 4 11 6.

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Original Application No.	(of 20		DISTRICT	
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		versus			
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					Respondent/s
(Presenting Officer)		
Office Notes, Office Memor Appearance, Tribunal' directions and Registr	s orders or		Tı	ibunal's orders	
 	 				

Date: 28.03.2016. (D.B. Matter)
C.A. No. 89/2015 in O.A. 1091/2010

- 1) Heard Shri C.T. Chandratre, the learned Advocate for the applicant and Mr. K.B. Bhise, the learned Presenting Officer for the Respondents.
- (2) The learned Advocate for the applicant states as follows:-

"Steps have been taken to release applicant's pension and he is expecting certain compliances on his side to be done."

(3) S.O to 26.04.2016

1

Sd/-

(A.H. Joshi, J.) Chairman

Psz

DATE: 28/3/16 CORAM:

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

APPEARANCE

Shri/son C.T. Chardrafre

Advoscie for the Applicant
Shri Smer. K.B. Bhue

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

Adj. To 26416

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Original Application No. of	20
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2016	BIV CI
DATE: 28 31 10 CORAM:	
Hon'ble Shri. RAJIV AGARWAL	
(Vice-Chairman)— Hon'ble Shri R. P. MALIK (Member) J	
APPEARANCE:	(sgj)
Applicant and	(50)
The state of the s	ļ
CROPPO for the Respondents p. NO.1 511 courses the pour	
Adj. Town Line Williams	
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COA 1072/15]

..... Applicant/s

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rashtra and others

..... Respondent/s

Tribunal's orders

O.A. No.1071 of 2015

Applicant and Advocate absent. Heard Shri Khaire, learned Special Counsel for respondent and Shri N.K. Rajpurohit, learned Chief enting Officer for Respondent No.2.

OA proceeds without affidavit in reply of ondent no.2. Finally adjourned for affidavit in nder to 20.4.2016. It is made clear that even if ondent no.2 wants to file the reply they must file that date only and no adjournment\should be n to them. S.O. to 20.4.2016.

Sd/-

(R.B. Malik) 28516 Member (J) 28.3.2016

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

Tribunal's orders M.A. No.133 of 2016 in O.A. No.893 of 2015

Heard Shri Khateeb Vakeel, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

- 2. This MA is for setting aside the order of dismissal of the OA for default made on 15.2.2016.
- an order made short while ago on MA No.134 of 2016, I condoned the delay in making this MA for restoration. In the ultimate analysis the delay is of 6 to 7 days and although the Ld. PO strongly objects this MA and seeks time to file reply, I am of the opinion that regard being had to the state of the record such as it is there is nothing to indicate that the conduct of the applicant is contumacious so as to make a liable to suffer the order of dismissal in default. Whichever way the OA goes it is necessary in my view and in the interest of justice that an opportunity is given to the applicant to argue the matter and get an order on merit.
- 4. MA is, therefore, allowed and order dated 15.2.2016 dismissing OA for default stands set aside and the said OA is restored to file on the same number which it was registered at for being heard on merits. Post restoration the OA to appear before appropriate bench for reply on 25.4.2016. MA is allowed in these terms with no order as to costs.

Sd/
(R.B. Malik) 28 3 1 \ Member (J) 28.3.2016

(sgj)

DATE: 28 3 16 CORAM:

Hon'ble Shri. RAJIV AGARWAL

- (Vice - Chairman)-

Hon'ble Shri R. B. MALIK (Member) 1

APPEARANCE:

Smilson Ich ateab Vaked

Advocate for the Applicant

ShriBm A. T. -hocequele

CPO7 P.O. for the Respondents

Adj. Tom M. A. is Allowed

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

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

M.A. No.134 of 2016 in O.A. No.893 of 2015

Heard Shri Khateeb Vakeel, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. This MA is for condonation of delay in making MA No.133 of 2016 for restoration of the OA that went by default on 15.2.2016. In fact it appears that this MA and MA No.133 of 2016 for restoration came to be presented on 21.3.2016. There is a delay of 6 or 7 days. Although the Ld. PO strongly opposes this MA, in my opinion interest of justice must prevail and, therefore, instead of adopting a technical approach this MA is allowed. The delay in presenting MA for restoration is condoned and the said application shall be heard on its own merit. No order as to costs hereof.

Sd/-

(R.B. Malik) 28/3) 6 Member (J) 28.3.2016

(sgj)

DATE: 28/3/16

Hon'ble Shri. RAHV AGARWAL

(Vice - Chairman)

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

APPEARANCE:

Shrisma Khateeb Valled

Advocate for the Applicant

Shri Shr A. I. Cho cegale

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

Adj To M. A us Allowed

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Original Application No.	f 20 DISTRICT
	Applicant/s
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	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
unections and negistrars orders	O.A. No.97 of 2016
	Heard Shri C.S. Damre, learned Advocate for
•	the Applicant and Miss Neelima Gohad, learned
	Presenting Officer for the Respondents.
,	
	2. Ld. PO seeks further time to file affidavit in
	reply. My order dated 3.3.2016 needs to be perused.
	No further adjournment for affidavit in reply can be
	given. The OA is formally admitted and in the set of
	these circumstances it is directed to be placed before
	appropriate bench on 20.4.2016. But it is made clear
	that on that date at least if the affidavit in reply is tender it will be taken on record otherwise the steps
•	in accordance with law will be taken. S.O. to
	20.4.2016. Hamdast.
1-1-0	Sd/-
DATE: 28 316	
CORAM: - Hon'ble Shri. RAHV AGARWAI	(R.B. Malik) 28/3]\
-(Vice - Chairman)	Member (J)
Hon'ble Shri R. B. MALIK (Member)	28.3.2016
APPEARANCE:	(sgj)
Sur/Smt + C. S. Dayse	
Advocate for the Applicant	
shritsint; N.C. Gohad	
CROTPO, for the Respondents	
O.A. is admitted	
- Adj Tom 8 9 1 to 20 4 16.	
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Original Application No.	of 20	DISTRICT
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(Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or	· rai	ribunal's orders
directions and Registrar's orders		
	<u> </u>	.A. No.1033 of 2015
	** 1.01	
		A.V. Sakolkar, learned Advocate
		and Miss Neelima Gohad, learned
	Presenting Office	r for the Respondents.
	2. At the re	quest of Ld. PO last chance is
	1	affidavit in reply. S.O. to 4.4.2016.
DATE: 28 316	granted for ming	
CORAM:		Sd/-
Hon'ble Shri. RAHV AGARWAL		(R.B. Malik) 28/5/1
-(Vice - Chairman)		Member (J)
Hon'ble Shri R. B. MALIK (Member) - APPEARANCE:		28.3.2016
Survision A.V. Selkolkar	(sgj)	
Advocate for the Applicant		
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Original Application No.	20 DISTRICT
	Applicant/s
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	versus
The State of	of Maharashtra and others
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	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. No.213 of 2016
	Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Affidavit in reply is taken on record. Shri Lonkar, Ld. Advocate informs that the applicant does not want to file rejoinder. Admit. Liberty to
DATE: 28 3 16 CORAM:	Member (J) 28.3.2016
Hon'ble Shri. RAMV AGARWAL (Vice Chairmen)	(sgj)
Hon'ble Shri R. B. MALIE (Member)	
Shrish - M. D. Loukeer	
Advocate for the Apolicant	
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CROTEO for the Respondents Peply filed Gy Respondent	
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Original Application No.	of 20

	Applicant/s
(Advocate)
	versus
The Sta	ate of Maharashtra and others
	Pogmon double
(Presenting Officer	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. No.115 of 2016
	Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents. 2. The affidavit in rejoinder is taken on record. Admit. To be placed before appropriate bench along with OA No.65 of 2016. Affidavit in sur-rejoinder, if any, must be filed on the next date and not thereafter. S.O. to 6.4.2016.
DATE: 28 3 6 CORAM: Hon'ble Shri. RAJIV AGARWA (No Chairmen) Hon'ble Shri R. B. MALIK (Member) APPEARANCE: Siri/Sar-A.U. Boundlewade	(R.B. Malik) Member (J) 28.3.2016 (sgj)
Advocate for the Applicant	
Shritem: H.G. Gohad C.P.O/P.O. for the journal of Gy Applice Pyoinder biled Gy Applice At To 8.0. to 6/4/16. O.A. ies Admit CON 65/16) Fy God God God	2 ul
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versus

The State of Maharashtra and others

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

Tribunal's orders

O.As. No.247 to 251 of 2016

Prabha Badadare, learned Smt. Heard Advocate for the Applicants and Shri N.K. Raipurohit, learned Chief Presenting Officer for the Respondents.

Smt. Badadare furnishes for my perusal the order dated 18.3.2016 in batch of writ petitions one of which was against my order made in these OAs. The Bench of the Hon'ble Chief Justice has been pleased to make these matters time bound to be Ld. Advocate for the decided by 30.5.2016. applicants is requested to place on record a copy of the said order of the Hon'ble High Court. It is made clear that these OAs will have to be disposed off latest by 6.5.2016 and not later and, therefore, schedule which is being appointed must be strictly adhered to. The affidavits in reply must be filed on 11.4.2016 but copies thereof must be furnished to the Ld. Advocate for the applicants by 7.4.2016. The order of formal admission shall be made on that date regardless of whether the reply is filed or not and a short date will be given for final hearing of the OAs.

S.O. to 11.4.2016.

(R.B. Malik) 28 |3116 Member (J)

28.3.2016

(sgj)

DATE: 28 3 CORAM:

Hon'ble Shri. RAJIV AGARWAI · (* 1 cc - 1 c - 1)

Hon'ble Shri R. B. MALIE (Michiber) J

APPEARANCE:

Smi : Pirebha Badadere

Advocate for the Applicant

Shrish M.12 Rapenoul

C.P.Q.L.P.G. TOF the Respondents

s.o. to 114/16.

Original Application No.	f 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
200 200 200 200 200 200 200 200 200 200	O.As. No.208, 209 & 210 of 2016
DATE: 28/3/16 CORAM: Hon'ble Shri. RAHV AGARWAL (Vice Chairman)	Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents. 2. Affidavits in reply on behalf of respondent no.2 will be filed during the course of the day as per submissions of the Ld. CPO. For affidavits in reply of other respondents more particularly of respondent no.3 the OAs are finally adjourned to 5.4.2016. Sd/- (R.B. Malik) 3311 Member (J)
Hon'ble Shri R. B. MALIK (Member)	28.3.2016
APPEARANCE:	(sgj)
Shri/State M. H. Respondents. No. 2.	
for Peply Mycal	

M.A. No.103 of 2016 in O.A. No.219 of 2016

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

- 2. Issue notice returnable on 11.4.2016.
- 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 M.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. S.O. to 11.4.2016.

(sgj)

DATE: 28/8/16

CORAM:

Hon'ble Shri. RAJIV AGARWA

—(Vice - Chairman)

Hon'ble Shri. R. B. MALIK (Member) —

APPEARANCE:

Shri. Shri. A. S. Golegach Kar

Advocate for the Applicant

Shri Shri. H. K. Ray pecconit

C.P.O (P.O. Ter the Respondents

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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, Tribunut's orders or directions and Registrar's orders	Tribunal's orders
	Date : 28.03.2016.
	O.A.No. 1058 of 2015
	1. Heard Shri C.T. Chandratre, 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
	states as follows:-
	effect that for assigning deemed date of promotion to the post of Police Inspector two months time is required.
	(b) The action would be completed and
	.communicated to the Applicant.
	3. Reasons as to why two months time is needed are
	not coming forward.
	4. It shall suffice if on the next date a statement be
DATE: 28/3/14 CORAM:	made as to the date when D.P.C. would be conveyed.
Hon'ble Justice Shri A Hi Joshi (Gua:	5. Steno copy and Hamdast is allowed to learned P.O.
or Shir M. KEIng the Langua (Member) A.	to communicate this order to the Respondents.
APPELIS ANCE:	
Shri/Smi C.T. Chandrate	6. Adjourned to 07.04.2016.
Advocate for d.s. Applicant	^
C.P.O / P.O. for the Respondential	Sd/-
Adj. To. 7141)6.	(A.H. Joshi, 1.) Chairman

prk

Original Application No. of	20 DISTRICT
	Applicant/s
(Advocate	
	versus
The State of	of Maharashtra and others
	Respondent/s
(Presenting Officer	
Tresenting Officer	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 28.03.2016.
	O.A.No.543 of 2014
and the second of the second o	1. Heard Shri M.D. Lonkar, the learned Advocate for
	the Applicants and Ms. N.G. Gohad, the learned Presenting
€ Company	Officer for the Respondents.
	2. Learned Advocate Shri M.D. Lonkar states as
	follows:-
	(a) Similar issue is pending in O.A.No.111 of 2015, before the Division Bench.
	(b) This O.A. can wait for the decision of the said O.A
	3. Hence, Adjourned to 22.04.2016.
	Sd/-
	Su/-
MT : 28/3 16	(A.H. Joshi, J.) Chairman
OF A COLUMN STATE OF A COLUMN	prk
Hot ble restice Shri A. H. Joshi (Chairman) Hot ble Si., 141, Rameshkumar (Member) A.	
AFPEARANCE	
Shrismi . M. D. Lankov	
Advocate for the Applicant	
Shri/Smt.: N: G: Glohed C.P.O/P.O. for the Respondent/s	
44. Tonger 22/4/16	

Original Application No. of	20 District
	Applicant/s
(Advocate)
	versus
The State o	f Maharashtra and others
The State o	
	Respondent/s
(Presenting Officer)
OF NA OF NA	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 28.03.2016.
	M.A.No.84 of 2016 in O.A.No.196 of 2016
	1. Heard 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 Respondent
	states as follows :
	Para-wise comments are received for filing reply to
	M.A.
	3. In fact reply to M.A. and O.A. both should have
	been ready, however, as it is seen, order of notice is no
	issued in O.A Usual notice is issued in O.A
	Issaed III o.i. w. osaev version a company
	5. Adjourned for Reply to M.A. and O.A. both.
	6 0 1- 10 05 2015
	6. S.O. to 10.06.2016.
DATE: 28/3/16 308	
CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)	Sd/-
Hon ble Justice Shri Mr. Rameshkumar (Member) A	(A.H. Joshi, (1) Chairman
APPEARANCE:	prk
Shr/Smi : K. R. Jagolale	
Advocate for the Applicant	
Shri /Smt. :	
10/6/16	

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

Tribunal's orders

Date: 28.03.2016.

O.A. No. 645/15 with O.A. 943/2015 with O.A. 944/2015 with O.A. 945/2015 with O.A. 946/2015 with O.A. No. 947/2015 with O.A. No. 948/2015.

- Heard Shri A.V. Bandiwadekar, the (1) learned Advocate for the applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.
- The learned Advocate for the applicant states as follows:-
 - (i) Government had issued approval to the transfer order by govt. communication dated 6.09.2015.
 - government (ii) Now the approval withdrawn its communication dated 2.03.2016.
- (3) In view of the subsequent development, the learned P.O requested that one week's time may be granted for making a statement as to the course of action to be adopted by the Competent Authority and for issuing necessary consequential orders.
- Time as prayed for is granted. (4)
- S.O to 5.04.2016. (5)

Sd/-

(A.H. Joshi, J.) Chairman

Psz

:DATE:

: Hon'ble Justice Shri A. H. Joshi (Chairmett) p Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shrismt: A. U. Rasel

Advocate for the Applicant

Shri /Smt : 1 Gr . Gco

Original Application No. of	20 DISTRICT
	Applicant/s
(Advocate)
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	versus
The State o	f Maharashtra and others
	Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or	Tribunal's orders
directions and Registrar's orders	Tribuliai s orders
	Date : 28.03.2016.
	O.A.No.52 of 2016
	1. Heard Shri K.R. Jagdale holding for Shri P.S. Pathak
	the learned Advocate for the Applicant and Smt. K.S
	Gaikwad, the learned Presenting Officer for the
	Respondent.
	2 Learned P.O. Smt. K.S. Gaikwad for the Responden
	has tendered reply. It is taken on record.
	3. Learned Advocate prays for two weeks time to
	consider the reply and file rejoinder, only if necessary.
	4. Time as prayed for is granted.
	•
	5. S.O. to. 12.04.2016.
	Sd/-
	Su/-
DATE: 28/2 16	(A.H. Joshi; J.)
CORAM:	Chairman Chairman
Hon'ble Justice Shri A. H. Joshi (Chairman)	
Hon'ble Shri M. Ramoshkumar (Memban), A.	
APPEARANCE:	
Shrt/Smt: L. D. Jongdole Gar	
Advocate for the Applicant	
Shri/Smt :	
C.P.O/P.O. for the Respondent's Affidaudi in Respondent's	
12/4/16	

Original Application No. of	20 District
	Applicant/s
(Advocate)
	versus
The State of	of Maharashtra and others
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	Respondent/s
(Presenting Officer)
Office Notes, Office Memoranda of Coram,	
Appearance, Tribanal's orders or directions and Registrar's orders	Tribunal's orders
	<u> </u>
	Date : 28.03.2016.
	O.A.No.10 of 2016
	1. Heard Shri C.T. Chandratre, the learned Advocat
y Affa	for the Applicant and Shri K.B. Bhise, the learne
	Presenting Officer for the Respondents.
	2 Learned P.O. Shri K.B. Bhise for the Respondent
	has tendered reply. It is taken on record.
	3. Learned Advocate Shri C.T. Chandratre for th
	Applicant prays for time to consider the reply.
	4. Time as prayed for is granted.
	5. S.O. to 09.06.2016.
	Sd/-
ATR. 28/2/16	(A.H. Joshi, J.) Chairman
ORAM:	prk
on'ble justice Shri A. H. Joshi (Chairman)	
on ble Shri M. Rameshkumar (Member) A	
PPEARANCE:	
hrt/Smt.:	
dvocate for the Applicant	
P.o. / P.O. for the Respondent's	

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n of Carain	I	<u> </u>		
ders or		Tribunal'	s orders	
	Date : 28.03.2	<u> </u>		
		O.A.No	.17 of 2016	
	1. Heard	Shri M.D. Lor	nkar, the learn	ed Advocate f
	the Applican	nt and Smt.	K.S. Gaikwac	d, the learne
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	Fresenting Of	nicer for the in	espondents.	
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Original Application No.	of 20		DISTRICT		
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(Advocate)			
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		Date : 28.03.2	016		
		Date : 26.05.2	016.		
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•				ar, the learned	
		the Applican	t and Smt. k	K.S. Gaikwad,	the learner
	1.	Presenting Off	icer for the Res	ondents.	
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	, , , , , , , , , , , , , , , , , , ,	2 Learne	ed P.O. Smt.	K.S. Gaikwa	d for th
		Respondents p	orays for a week	s time for filing i	reply.
		3. Time a	s prayed for is g	ranted.	
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		4. S.O. to	06.04.2016.	X	
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11				- wh	I DV O
DATE: 2813 1 16	1-43			(A.H. Joshi, J. Chairman	1
CORAM: Hon'ble Justice Shri A. M. Joshi (Chai	tmetik	prk	,		
Hon'ble Shri M. Raineshkumar (Mem					
AFPEARANCE:	·				
Shr/Smt: M.D. Lon	<i>د</i> وير				
Advocate for the Applicant					
Shri/Sint: 14.5 (nai)	rived				. *
C.P.O / P.O. for the Respondent/s					
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Original Application No.	of 20	I	DISTRICT	•
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(Advocate)			
	versu	s		
Ť	he State of Mahara	shtra and others		
			Res	spondent/s
(Presenting Officer)		
Office Notes, Office Memoranda o Appearance, Tribunal's order directions and Registrar's or	's or	Tribunal's	orders	•
	Date	: 28.03.2016.		
		O.A.No	.195 of 2016	
•	1.	Heard Shri N.D. Ba	tule, the learned	d Advocate for
	the A	pplicants and Shri N.	K. Rajpurohit, the	e learned Chief
	Prese	nting Officer for the R	lespondents.	
	2	In view of appear	ance of learned	Advocates Shr
	5.V. I	Natu and Shri N.D. E	Balute, this case	should not be
	place	d before me.		
	3.	The matter be kep	t before Hon'ble	Vice-Chairmar
	Shri F	tajiv Agarwal.	٩	· · · · · · · · · · · · · · · · · · ·
			Sd/-	
DATE: 28/3/16 CORAM: Hos the justice Shri A. 'Linshi (Chairm) Hos the fibri M. Ramort kungar (Member)	1		(A.H. Joshi, Chairman	
APPLARANCE:				
Shris H.D. Batule			•	_
Advocace for the Applicant				
Shri Sin . A. K. Kejpurchit C.D.O. F.O. On the Rospondent's	1146	•		
before Hm. Yc, shy Raj Aggrad.	Key+		i.	•

Original Application No.	of 20		Distric	т	
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(Presenting Officer)		•	
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders ar directions and Registrar's orders		Tr	ibunal's orders	5	
	Date	: 28.03.2016.		- ·	
		C).A.No.146 of 2	2016	
	1.	learned Adv	ocate Ms. S.	P. Mancheka	r for the
		icant has filed a			÷
	Appi	icant has med a	leave flote:		
	2.	In view of lea	ve note, Adjou	rned to 07.04	.2016.
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				.H. Joshi, J.	.
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DATE: 28/3/16					ř
CORAM:					P - 4
Hon'ble Justice Shri A. H. Joshi (Chairman)			•		
Hon'ble Shri M. Rameshkumar (Member) A					
APPEARANCE:	· · · · ·				
Mancheten taken on vecos. Mancheten taken on vecos. Movement for the Applicant		· .			
Shri /Smt.: K.S. Galkwed C.P.O / P.O. for the Respondent/s					
Adj. To. 714116.					
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Original Application No.	of	20 DISTRICT
		Applicant/s
(Advocate		
(Advocate	************	
		versus
	The State of	f Maharashtra and others
	And State of	
		Respondent/s
(Presenting Officer)
Office Notes, Office Memoran	de of Comm	
Appearance, Tribunal's o		Tribunal's orders
directions and Registrar'	s orders	
		Date : 28.03.2016.
		O.A.No.212 of 2016
		1. Heard Shri A.V. Bandiwadekar, the learned
		Advocate for the Applicant and Shri N.K. Rajpurohit, the
		learned Chief Presenting Officer for the Respondents No.1
		& 2.
	•	2. Ms. S.P. Manchekar, the learned Advocate for
		Respondent No.3 is absent and has filed a leave note.
		2 Learned C.P.O. Shri N.K. Rajpurohit for the
		Respondents states as follows:-
		(a) Para-wise comments are received.
		(b) Two weeks time is required for filing reply.
		3. In the background that notices were received on
		04.03.2016, time granted by way of last chance.
		4. Adjourned to 05.04.2016.
		۵۶۱ ۱
		Sd/-
		(A.H. Joshi, A) Chairman
		prk

ORIGINAL APPLICATION NO.217 OF 2016 (D.B.)

DISTRICT: PUNE

Shri A.R. Karande

.... Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents

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

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

CORAM:

JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE

28.03.2016.

ORDER

- 1. Heard Shri K.R. Jagdale, 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 states as follows:-Instructions are still awaited.
- 3. Learned Advocate Shri K.R. Jagdale for the Applicant has pointed out that notices of this Tribunal was deposited and acknowledgment was sought on 03.03.2016.
- 4. Learned Advocate Shri K.R. Jagdale undertakes to file affidavit of service within two days.
- 5. Learned C.P.O. Shri N.K. Rajpurohit is called to furnish the name of the Sub Divisional Officer, who is Respondent No.3, and who has replied the impugned order.
- Learned C.P.O. has furnished the following name:
 Shri Sanjay Teli, Sub Divisional Officer, Pandharpur, District: Solapur.
- 7. Shri Sanjay Teli, Sub Divisional Officer is directed to file affidavit showing cause as to why he should not be personally saddled with costs for failing in taking cognizance of the notice of the Tribunal and failing to give instructions and furnish para-wise remarks.

- Apart from the affidavit on the foregoing point, Respondent No.3 is also directed 8. to file his own affidavit answering the each and every averments, points and grounds contained in the O.A., while answering the O.A..
- In the meantime Respondent No.3 shall be free to consider the applicant's 9. request for change of Head quarters during the period of suspension.
- Learned C.P.O. is directed to communicate this order to the Respondents. 10.
- 11. Steno copy and Hamdast is allowed to learned C.P.O. to communicate this order to the Respondents.
- For filing reply, S.O. to 25.04.2016. 12.

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

prk

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THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.12 OF 2016 IN ORIGINAL APPLICATION NO.1015 OF 2013 (D.B.)

Shri V.U. Randhe & Ors

.... Applicants

Versus

The State of Maharashtra

.....Respondent

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

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

CORAM:

JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE:

28.03.2016.

ORDER

- 1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondent.
- The order promoting the applicants is issued by the Contemnor on 23.03.2016.
- 3. The learned Advocate Shri C.T. Chandratre for the Applicants states that in the background of the order passed by this Tribunal in O.A.No.1015 of 2013 the issuance of the order on ad-hoc basis does not result in compliance of the order.
- 4. At this stage, the learned C.P.O. states that he will take instructions as to whether corrigendum can be issued either to strike of paragraph 11 of the order so also to issue clarification explaining the reasons due to which in spite of the order of Tribunal the order is worded as 'promotion on ad-hoc basis'.
- 5. Learned C.P.O. Shri N.K. Rajpurohit for the Respondents after taking further instructions from Shri Dr. K.P. Mote, Divisional Joint Director of Agriculture states that the corrigendum would be issued by deleting paragraph 11 of the appointment order.
- 6. In so far as the applicant's grievance that applicants' promotion ought not be made on ad-hoc basis, the question was put to learned C.P.O. as to whether the

persons who are similarly situated are issued orders with similar terminology as to "adhoc", and as to whether there is possibility of reversion of applicants' promotion.

- 7. Learned C.P.O. on instructions states as follows:-
 - (a) The order is issued on ad-hoc basis in view of certain standing orders of the Government. However there is no element of potential revision of adhoc promotes.
 - (b) Though the order says that promotion is for 11 months is also a matter of procedural modality and applicant would be continued on the same basis on which similarly situated Agricultural Assistants are continued on promotional posts.
- 8. In view of this compliance and statement made by learned C.P.O. Shri N.K. Rajpurohit for the Respondents, learned Advocate Shri C.T. Chandratre for the Applicants is satisfied and in view of the satisfaction Contempt Application is disposed of.
- 9. However, this will not preclude the applicants, in the event any compliance remains or found to be short and deficient for raising the issue by way of fresh Contempt Application.

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Sd/-

(A.H. Joshi, J.)

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