

**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
<p><b>DATE:</b> <u>28/9/17</u></p> <p><b>CORAM:</b>  <del>Shri. Mr. Shri. R. H. VAGARWAL</del>  (Vice-Chairman)  <del>Shri. Mr. Shri. R. B. MALIK (Member)</del>  (Vice-Chairman)</p> <p><b>APPEARANCES:</b>  Shri. Smt. <u>Punam Mahajan</u>  Advocate for the Applicant  Shri. Smt. <u>K. S. Gaikwad</u>  C.P.O./P.O. for the Respondents</p> <p><u>R.A. is disposed of.</u></p>	<p style="text-align: center;"><b><u>R. A. No. 18 of 2017</u></b>  <b><u>In</u></b>  <b><u>O.A. No.19 of 2017</u></b></p> <p><b>Shri P.D. Poman</b> ... Applicant</p> <p style="text-align: center;"><b>V/s.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Smt. Punam Mahajan, the learned Advocate for the Applicant, Smt. Kranti Gaikwad, the learned P.O. for the Respondents Nos.1 to 3 and Shri M.D. Lonkar, the Advocate for the Respondent No.4.</p> <p>The learned Advocate for the Applicant submits on record a communication to her received from the Applicant. The same is taken on record and in view thereof, the R.A. is disposed of as not press<sup>ed</sup> with no order as to costs.</p> <p style="text-align: right;">Sd/-  (R.B. Malik) <i>[Signature]</i>  Vice-Chairman  28.09.2017</p> <p>(vsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

I N

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

**R. A. No. 18 of 2017**

**In**

**O.A. No.19 of 2017**

**Shri P.D. Poman ... Applicant**

**V/s.**

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

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant, Smt. Kranti Gaikwad, the learned P.O. for the Respondents Nos.1 to 3 and Shri M.D. Lonkar, the Advocate for the Respondent No.4.

The learned Advocate for the Applicant submits on record a communication to her received from the Applicant. The same is taken on record and in view thereof, the R.A. is disposed of as not press<sup>ed</sup> with no order as to costs.

**DATE:** 28/9/17

**CORAM:**

~~Shri. Mr. Shri. R. JIVAGARWAL  
(Vice-Chairman)~~

~~Shri. Mr. Shri. R. B. MALIK (Member)~~  
*(Vice-Chairman)*

**APPEARANCE:**

~~Shri/Smt.:~~ Punam Mahajan

Advocate for the Applicant

~~Shri/Smt.:~~ V. S. Gaikwad

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

~~As the R.A. is disposed~~

~~of.~~ *[Signature]*

Sd/-

(R.B. Malik) 28-9-17  
Vice-Chairman  
28.09.2017

(vsm)

**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
<p><b>DATE:</b> 28/9/17</p> <p><b>CORAM:</b>  <del>Shri. R. H. VAGARWAL (Vice-Chairman)</del>  <del>Shri R. B. MALIK (Member)</del> (Vice-Chairman)</p> <p><b>APPEARANCE:</b>  Shri/Smt. G.A. Bandiwadekar  Advocate for the Applicant  Shri/Smt. A.J. Chougule  C.P.O./P.O. for the Respondents  O.A. is admitted.  Adj. to Rejoinder filed by Applicant.  S.O. to 10/10/17.</p> <p style="text-align: right;">FH [Signature]</p>	<p style="text-align: center;"><b><u>O.A. No.700 of 2017</u></b></p> <p><b>Shri S.A. Salve</b> ... Applicant</p> <p style="text-align: center;">V/s.</p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.</p> <p>The learned Advocate for the Applicant undertakes to file Affidavit-in-Rejoinder during the course of the day. On this undertaking, the Original Application is admitted and appointed for final hearing on 10.10.2017.</p> <p>Sur-Rejoinder, if any, must be filed on that day and not thereafter.</p> <p style="text-align: right;">Sd/-  _____  (R.B. Malik) 28-9-17  Vice-Chairman  28.09.2017</p> <p style="text-align: center;">(vsm)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

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**O.A. No.608 of 2017**

**Shri P.R. Ghorpade ... Applicant**

**V/s.**

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

Heard Shri T. V. Mhatugade, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

The Original Application is admitted and appointed for final hearing on 09.10.2017. The mater is relating to retirement benefits. The Applicant has liberty to move the successor bench for expeditious hearing of the matter.

S.O. to 09.10.2017.

**DATE:** 28/9/17

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. T.V. Mhatugade  
Advocate for the Applicant

Shri (Smt.) A.J. Chougule  
P.O./P.O. for the Respondents

O.A. is admitted.

Adj. To S.O. to 9/10/17.

*FM @ 10/9*

(vsm)

Sd/-

(R.B. Malik) 28-9-17  
Vice-Chairman  
28.09.2017

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

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**O.A. No.868 of 2017**

**Shri S. C. Gawte ... Applicant**

**V/s.**

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

Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

A copy of the L.P.C. dated 12.09.2017 is taken on record. That aspect of the matter has been taken care of. The Original Application stands adjourned for Affidavit-in-Reply to 16.10.2017.

Sd/-

(R.B. Malik)  
Vice-Chairman  
28.09.2017

28.9.17

(vsm)

**DATE:** 28/9/17

**CORAM:**

~~Hon'ble Shri. RAJIV AGARWAL~~

(Vice-Chairman)

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

(Vice-Chairman)

**APPEARANCE:**

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

P.O. for the Respondents

Adj. To 16/10/17

@17

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

Tribunal's orders

**O.A. No.857 of 2017**

**Shri B.R. Shinde ... Applicant**

**V/s.**

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

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned P.O. for the Respondents.

Issue notice returnable on 31.10.2017.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

S.O. to 31.10.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik) 28.9.17  
Vice-Chairman  
28.09.2017

(vsm)

DATE: 28/9/17

CORAM:

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

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

(Vice-Chairman)

APPEARANCE:

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To S.O. to 31/10/17.

*[Signature]*

Office Notes, Office Memoranda of Coram,  
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Tribunal's orders  
**M.A. 377 of 2017 In O.A. No.828/2017 with  
O.A. No.828/2017**

**Shri T.P. Dhoke** ... Applicant  
V/s.  
**The State of Mah. & ors.** ... Respondents

Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

This Misc. Application is for condonation of delay of six months. No reply is filed and none is necessary despite strong objection by the learned P.O. The delay in the interest of justice is condoned and the M.A. is allowed with no order as to costs.

The office and the Applicant do take all steps necessary to get the O.A. placed before the appropriate bench for hearing and disposal according to law.

Issue notice returnable on 31.10.2017.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

S.O. to 31.10.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik) 28.9.17  
Vice-Chairman  
28.09.2017

DATE: 28/9/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. G.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. To M.A. is allowed.

O.A. adj. to 31/10/17.

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

Tribunal's orders  
O.A. No.413 of 2017

Miss S.B. Shinde ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant, Shri K.B. Bhise, learned Presenting Officer for Respondents No.1 & 4, Shri J.N. Kamble, learned Advocate holding for Shri V.V. Londhe, learned Advocate for Respondents No.2 & 3.

2. Ld. PO has tendered affidavit of Respondent No.1. It is taken on record.

3. Ld. PO prays for 2 weeks time to file affidavit of respondent no.4.

4. Ld. PO prays for 2 weeks time for filing affidavit on merits.

5. Time as prayed is granted.

6. S.O. to 13.10.2017.

Sd/-

(A.H. Joshi, J)  
Chairman  
28.9.2017

(sgj)

DATE: 28/9/2017

CORAM:

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

Hon'ble Shri M. Ramashkumar (Member) A

APPEARANCE:

Shri/Smt.: B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt.: K.B. Bhise

G.P.O / P.O. for the Respondent/s No.1 to 4.

Shri J.N. Kamble holding for

Shri V.V. Londhe. Ld.

AN. As R.No. 243.

S.O. to 13/10/2017.

B.A.



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE</u> :- 28/9/2017</p> <p><u>CORAM</u> :- Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</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 Respondent/s</p> <p>Admit: Adj. To O.A. to come up for hearing in due course.</p> <p align="right">BTE</p>	<p align="center"><u>O.A. No.92 of 2017</u></p> <p>Dr. M.S. Bhadke ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO has tendered affidavit answering OA as well as another affidavit affirmed by Shri Pradeep Vyas, Principal Secretary, Public Health Department.</p> <p>3. Both affidavits are taken on record.</p> <p>4. Admit.</p> <p>5. OA to come up for hearing in due course.</p> <p>6. Applicant shall be free to file rejoinder, if applicant desires.</p> <p align="right">Sd/- (A.H. Joshi, J) Chairman 28.9.2017</p> <p>(sgj)</p>

I N

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
<p>DATE: <u>28/9/17</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>K.R. Jagdale</u> Advocate for the Applicant Sari/Smt.: <u>Archana B.K.</u> C.P.O./ P.O. for the Respondent/s</p> <p>Adj. to <u>OA and MA are</u> <u>disposed.</u></p> <p style="text-align: right;"><i>BJE</i></p>	<p><del>O.A. No.98 of 2017 with M.A. No.406 of 2017</del></p> <p>Shri S.J. Jadhav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for Applicant states that the purpose of filing OA and MA is accomplished as the order of appointment is issued.</p> <p>3. In view of statement of Ld. Advocate for Applicant, OA and MA are disposed.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 28.9.2017</p> <p>(sgj)</p>

Date : 28.09.2017.

O.A.No.66 of 2017

Dr. V.S. Shinde

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents has tendered affidavits affirmed by Shri Ramesh D. Devkar, Commissioner, Employees State Insurance Scheme, Mumbai and another by Shri (Dr.) Pradeep Vyas, Principal Secretary, Public Health Department explaining reasons of failure to attend to present O.A.. It is taken on record.

3. The explanation which is offered by these officers is accepted as one time excuse, and notice of show cause against costs is dropped with a caution that such negligence ought not recur.

4. Admit.

5. O.A. to come up for final hearing in due course.

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

7. Steno copy and Hamdast is allowed to learned P.O..

DATE: 28/9/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt: B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt: K.B. Bhise

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

Admit.

Adj. To O.A. to come up

for final hearing in  
due course.

steno copy & Hamdast is  
allowed to Ld. P.O.

BSE

R

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

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Tribunal's orders

**O.A. No.849 of 2017**

**Shri Dr. Y. U. Sathe ... Applicant**

**V/s.**

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

Heard Ms S.P. Manchekar, the learned  
Advocate for the Applicant and Smt. Kranti  
Gaikwad, the learned P.O. for the Respondents.

The time to serve is extended till  
11  
06.10.2017.  
60

Sd/-

(R.B. Malik) 28-7-17  
Vice-Chairman  
28.09.2017

(vsm)

**DATE:** 28/9/17

**CORAM:**

~~Mh'ble Shri. RAJIV AGARWAL~~  
(Vice-Chairman)

Mh'ble Shri R. B. MALIK (Member)  
*(Vice-Chairman)*

**APPEARANCE:**

~~Smt/Smt. Ms. S.P. Manchekar~~

Advocate for the Applicant

~~Shri/Smt. K.S. Gaikwad~~

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

Adj. To 11/10/17

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

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**M.A. No. 428 of 2017**  
**In**  
**O.A. No.907 of 2017**

**Smt. U. A. Sonawale & Anr. ... Applicants**

**V/s.**

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

Heard Shri M.D. Lonkar, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents.

This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

**DATE:** 28/9/17

**CORAM:**

~~Shri Shri. RAJIV AGARWAL~~  
(Vice-Chairman)

~~Shri Shri R. B. MALIK (Member)~~

*(Vice-chairman)*

**APPEARANCE:**

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

~~Adj. To~~ M.A. is allowed.

(vsm)

Sd/-

(R.B. Malik) *28/9/17*  
Vice-Chairman  
28.09.2017

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

Tribunal's orders

**O.A. No.907 of 2017**

**Smt. U. A. Sonawale & Anr. ... Applicants**  
**V/s.**

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

Heard Shri M.D. Lonkar, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents.

Issue notice returnable on 31.10.2017.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

S.O. to 31.10.2017: Learned P.O. do waive service.

Sd/-

(R.B. Malik)  
Vice-Chairman  
28.09.2017

(vsm)

DATE: 28/9/17

CORAM:

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

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

APPEARANCE:

Shri M. D. Lonkar

Advocate for the Applicant

Shri /Smt. A. J. Chougule

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

Adj. To: S.O. to 31/10/17.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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**M.A. No. 427 of 2017**  
**In**  
**O.A. No.668 of 2017**

**Smt. U.S. Ghavte ... Applicant**

**V/s.**

**The State of Maharashtra & Anr. ....Respts.**

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant, Shri A.J. Chougule, the learned P.O. for the Respondent No.1 and Shri K.R. Jagdale, the learned Advocate for the Respondent No.2.

Not on board, taken on board by consent. The proposed amendment is allowed. It be incorporated within two week from today. A consolidated copy of the O.A. after amendment be filed and copies be furnished to the learned P.O. and Advocate for the private Respondent.

The O.A. stands adjourned for additional Affidavit-in-Reply to 10.10.2017.

Misc. Application is allowed with no order as to costs.

Sd/-

(R.B. Malik) 28.9.17  
Vice-Chairman  
28.09.2017

**DATE:** 28/9/17

**CORAM:**

~~Shri. Shri. RAJIV AGARWAL~~  
(Vice-Chairman)

~~Shri. Shri R. B. MALIK (Member)~~  
(Vice-Chairman)

**APPEARANCE:**

~~Shri. Punam Mahajan~~

Advocate for the Applicant

Shri. Smt. A.J. Chougule

C.P.O./P.O. for the Respondent No.1  
K.R. Jagdale for R.No.2.

~~Adj. to M.A. is allowed.~~

O.A. adj. to 10/10/17.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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<p><u>DATE:</u> 28/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramcsikumar (Member) *</p> <p><u>APPEARANCE:</u> Shri/Smt. : S.P. Manchekar Advocate for the Applicant Shri/Smt. : K.B. Bhise CPO/P.O. for the Respondent/s Shri S.S. Dere Ld. Adv. for R.No.1. Ad. to Shri A.S. Deshpande Ld. Adv. for R.No. 2. Ad. to 4/10/2017.</p> <p align="right">HTE</p>	<p>Date : 28.09.2017.</p> <p align="center">O.A.No.209 of 2017</p> <p>B.S. Chaudhari .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant, Shri K.B. Bhise, the learned Presenting Officer for the Respondent, Shri S.S. Dere, the learned Advocate for the Respondent No.1 and Shri A.S. Deshpande, the learned Advocate for Respondent No.2.</p> <p>2. Ms. S.P. Manchekar, the learned Advocate for the Applicant prays for two day's time to decide the stance in present O.A. in view of subsequent development.</p> <p>3. In view of request of learned Advocate for the Applicant, adjourned to 04.10.2017.</p> <p align="right">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>



**IN THE MAHARASHTRA 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 Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 28/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. K.M. HASURKAR Advocate for the Applicant Shri/Smt. N.K. Rajpurohit C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. M.A. is allowed.</p> <p style="text-align: right;">prk</p>	<p>Date : 28.09.2017.</p> <p>M.A.No.151 of 2017 in O.A.No.297 of 2017</p> <p>B.E. Tamhare &amp; Ors. ....Applicants.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K.M. Hosurkar, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: right;">Sd/- (A.H. Joshi J.) Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 28/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. K.M. Hosurkar Advocate for the Applicant Shri/Smt. N.K. Rajpurohit C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To..... Applicants shall Secure notice from Registry.</p> <p style="text-align: right;">BYE J.K.</p>	<p>Date : 28.09.2017.</p> <p>O.A.No.297 of 2017</p> <p>B.E. Tamhare &amp; Ors. ....Applicants.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K.M. Hosurkar, the learned Advocate for the Applicants and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicants shall secure notice from Registry.</p> <p style="text-align: right;">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA 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 Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> <u>28/9/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. :..... <u>A.V. Bandiwadkar</u> Advocate for the Applicant Shri /Smt. :..... <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>2/11/2017</u></p> <p align="right"><i>BTE</i></p>	<p>Date : 28.09.2017.</p> <p align="center"><b>O.A.No.818 of 2017</b></p> <p>A.M. Surve .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents states that instructions are received and three week's time may be granted for filing affidavit.</p> <p>3. Time as prayed is granted.</p> <p>4. S.O. to 02.11.2017.</p> <p align="right">Sd/- (A.H. Joshi J.) Chairman</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 28/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)-A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>A.S. Deshpande</u> Advocate for the Applicant Shri/Smt. <u>K.B. Bhise</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To.....<u>11/10/2017</u>.....</p> <p style="text-align: right;"><i>B.E.</i></p>	<p>Date : 28.09.2017.</p> <p style="text-align: center;">O.A.No.848 of 2017</p> <p>Dr. Y.U. Sathe .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.S. Deshpande, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents prays for time for filing affidavit opposing O.A. and for bringing on record actions so far taken by the Government.</p> <p>3. Affidavit be filed on or before 09.10.2017 and serve copy on learned Advocate for Applicant.</p> <p>4. S.O. to 11.10.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>28/9/2017</u></p> <p>COM: Justice Shri A. H. Joshi (Chairman) Justice Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Smt. P.B. Jadhav H. Adv. for Appl. absent Smt. Archana B.K. for the Respondent/s</p> <p>Adj. To: <u>9/10/2017 at Aurangabad Bench.</u></p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 28.09.2017.</p> <p>M.A.No.370/2015 in C.A. Stamp No.1129/2015 in O.A.No.199/2014</p> <p>U.N. Vendait ....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. Shri P.B. Jadhav, the learned Advocate for the Applicant is absent.</p> <p>3. Secretary, Forest Department has tendered written apology in own hand and has also reported that order is fully complied.</p> <p>4. Let the O.A. be listed on board at Aurangabad Bench for orders on 09.10.2017.</p> <p>5. Copy of apology and copy of this order be sent to Registrar, M.A.T. Bench Aurangabad of this Tribunal through drop box for compliance.</p> <p>6. S.O. to 09.10.2017 at Aurangabad Bench.</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**ORIGINAL APPLICATION NO.634 OF 2016**

Shri Ravishankar M. Lukade

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri A.S. Deshpande – Advocate for the Applicant

Smt. Archana B.K. – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 28<sup>th</sup> September, 2017

**ORDER**

1. Heard Shri A.S. Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Ld. Advocate for applicant prays for amendment because developments which have occurred during pendency of OA have to be incorporated and some prayers may have to be deleted and modified, so also the grounds.
3. Ld. Advocate prays for leave to amend by way of substitution of paper book and undertakes to comply within a day.
4. Leave to amend by way of substitution is granted.
5. Affidavits and rejoinder already on record are struck off. Entire old paper books be kept in second part.

6. Issue notice returnable on 11.10.2017.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
8. 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.
9. 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.
10. 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.
11. In case notice is not collected within three days or service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.



Sd/-

**(A.H. Joshi, J.)**  
**Chairman**  
**28.9.2017**

Dictation taken by: S.G. Jawalkar.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. of 20

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**O.A. No.709 of 2017**

**Shri S. S. Sonawane ... Applicant**

**V/s.**

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

Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

This Original Application can be disposed of on a short point at this stage itself. This is a transfer related O.A. The Applicant came to be transferred from Nashik to Sindhudurg. His wife is also <sup>a</sup>the State Government employee and is posted at Nashik and therefore, a nearer place of posting is sought. The Applicant gave an option of Talasari, Dist. Palghar.

The learned Advocate informs that the said post is lying vacant. This Original Application is disposed of with direction to the Respondents to consider the transfer of the Applicant to Talasari, Dist. Palghar within two weeks from today and communicate its outcome to the Applicant within three working days thereafter. No order as to costs.

**DATE:** 28/9/17

**CORAM:**

~~Shri. R. JIVAGARWAL~~  
(Vice-Chairman)

Shri R. B. MALIK (Member)  
(Vice-Chairman)

**APPEARANCE:**

Shri. J.N. Kamble

Advocate for the Applicant

Shri. Smt. A.J. Chougule

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

O.A. is disposed of  
Adj. To [Signature]

Sd/-

(R.B. Malik) 28/9/17  
Vice-Chairman  
28.09.2017



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

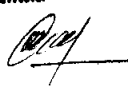
M.A./R.A./C.A. No. of 20

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Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>O.A. No.917 of 2017</u></b></p> <p><b>Shri S.S. Tate</b> ... Applicant V/s. <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and, Smt. Kranti Gaikwad, the learned P.O. for the Respondents.</p> <p>The learned P.O. is being instructed by Shri A.N. Sakharkar, Desk Officer, Agriculture Dept, Mantralaya, Mumbai.</p> <p>The Applicant joined his present post on 05.06.2017. He has now, by way of impugned transfer, transferred again.</p> <p>I have heard both the sides. The issue naturally is with regard to the compliance with relevant provision of Transfer Act. One particular file which is presented for my perusal in name of reason has mentioned in Maratki "तकरीवर कार्यवाही सुरु आहे." Now, the file showing precisely as to what are the compliant is not produced. I am told that the said file is at Pune. In my opinion, when the matter is under judicial scrutiny, the most important aspect is as to whether at the time of effecting the transfer the issues of special reasons and exceptional circumstances were addressed. If the compliant related to the period before the Applicant joined his present posting then obviously the present order of the transfer would become vulnerable. In my opinion, interim relief may be granted today with liberty to the Respondents as indicated herein. It is made clear further that in view of the order or otherwise the Applicant has been relieved, he will have to be reposted. The order herein impugned in so far as relates to the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> <u>28/9/17</u></p> <p><b>CORAM:</b>  <del>Shri. Shri. RAJIV AGARWAL</del>  (Vice-Chairman)  <del>Shri. Shri R. B. MALIK (Member)</del>  (Vice-Chairman)</p> <p><b>APPEARANCE:</b>  Shri/Smt. <u>Purnam Mahajan</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>S.O. to 16/10/17</u>  Hamdast. </p>	<p>Applicant is hereby stayed till the date next to the filing of the Reply and in case the Applicant has been relieved, he be reposted at the same place where he has been transferred from. Compliance within one week from today.</p> <p>Liberty is reserved for the Respondents to move with a reasonable advocate notice to the Advocates and Tribunal for any medication and vacation of this interim relief.</p> <p>Issue notice returnable on 16.10.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>In case notice is not collected within one week or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.</p> <p>S.O. to 16.10.2017. Learned P.O. do waive service. Hamdast.</p> <p style="text-align: right;">Sd/-  (R.B. Malik) <u>28.9.17</u>  Vice-Chairman  28.09.2017</p> <p style="text-align: center;">(vsm)</p>

Disposed of 28/9/17 (C)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI

MA-397/17 In (Amendment) -  
Original Application No. 82 of 20 17

DISTRICT

Advocate Mr. A. S. Gaikwad

Mrs. D. K. Khairnari Applicant/s

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>28/9/17</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Kameshkumar (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>None for the appl.</u></p> <p>Advocate for the Applicant</p> <p>Shri /Smt. <u>S. Suryawanshi</u></p> <p>C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>MA is disposed.</u></p>	<p>Heard. leave to add secretary to A as party is allowed. Amendment be carried out within one week. Add respondent be served usual notice through office by the applicant, returnable on 16/11/2017. MA is disposed.</p> <p style="text-align: right;">Sd/- <u>Atyashm</u> 28/9/2017</p>