

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

**O.A.1100/2016**

**Shri S.V. Shintre**

**... Applicant**

**Vs.**

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

**... Respondents**

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

Issue notice returnable on 13.12.2016.

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

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

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

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

S.O. to 2<sup>nd</sup> 13<sup>th</sup> December, 2016.

Sd/-

(R.B. Malik) 28.11.16  
Member (J)  
28.11.2016

(skw)

[P.T.O.]

DATE: 28/11/16

CORAM:

Shri R.B. Malik (M/J)

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

Hon'ble Shri M. Ramashkumar (Member) A

APPEARANCE:

Shri R.G. Panchal

Advocate for the Applicant

Shri/Smt. : A.K. Rajpurohit

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

Adj. To: 13/12/16.

HT

(Presenting Officer.....)

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

Tribunal's orders

O.A.418 & 795/2016

**Dr. S.S. Shinde & Anr. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Shri S.S. Dere, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

The learned PO is being instructed by Mr. R.D. Kulkarni, Administrative Officer, Public Health Services. A combined reading of my orders of 24<sup>th</sup> June, 2016 and 11.7.2016 would make it quite clear that the direction came to be given to the 1<sup>st</sup> Respondent - State of Maharashtra, through Principal Secretary, Public Health Department to do the needful. The said orders need to be perused. That compliance has not been made. I have carefully noted the fact that there was an insistence initially that the compliance was made. I am absolutely convinced that the compliance with such a simple direction has not been made and regard being had to the facts, there was a need for early response and the matter has yet dragged on for more than five months. I, therefore, direct a show cause notice to issue to the Respondent No.1 asking him to show cause as to why an appropriate action in the nature of contempt be not initiated against him.

**Issue show cause notice to Respondent No.1** made returnable on 13<sup>th</sup> December, 2016 asking him to show cause why an action in contempt be not initiated against him. Hamdast.

Sd/-

(R.B. Malik) 28.11.16  
 Member (J)  
 28.11.2016

(skw)

[P.T.O.]

DATE: 28/11/2016

CORAM: Shri R.B. Malik (M/J)

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

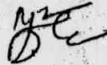
Shri/Smt: S.S. Dere

Advocate for the Applicant

Shri/Smt: H.G. Gohad

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

Adj. To: Issue show cause

notice to R.No.1 made returnable  
on 13/12/16.


**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
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**C.A.93/2016 in O.A.111/2015**

**Shri D.R. Hindlekar** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Issue notice returnable on 13.12.2016.

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.

S.O. to 13<sup>th</sup> December, 2016.

**DATE:** 28/11/16

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. A.B. Kololgi

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

Adj. D. 13/12/16

<p>Sd/- (R.B. Malik) Member (J) 28.11.2016</p>	<p>Sd/- (Rajiv Agarwal) Vice - Chairman 28.11.2016</p>
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(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
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**M.A.488/2016 in O.A.260/2012**

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

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Issue notice returnable on 09.01.2017.

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.

S.O. to 9<sup>th</sup> January, 2017

Sd/-

Sd/-

(R.B. Malik)  
Member (J)  
28.11.2016

(Rajiv Agarwal)  
Vice - Chairman  
28.11.2016

(skw)

**DATE:** 28/11/16

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.B. Kololgi

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

Adj. To

S.O. to 9/1/17

**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
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**28.11.2016**

**O.A No 941/2016**

Shri S. S Mali ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

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

Affidavit in rejoinder is filed by the Applicant. O.A is admitted. Respondents are at liberty to file sur-rejoinder, if need be.

Place for final hearing on 13.12.2016.

DATE: 28/11/16

**CORAM:**

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

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

**APPEARANCE:**

Shri/Sr A.V. Bandiwadekar

Advocate for the Applicant

Shri/Sr K.B. Bhise

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

Rejoinder filed by Applicant.

O.A. is admitted.

S.O. to 13/12/16

F4  
[Signature]

Sd/-

(Rajiv Agarwal)  
Vice-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
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**28.11.2016**

**O.A No 1094/2016**

Shri G.V Naik ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 13.12.2016.

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

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

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

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

7. S.O 13.12.2016.

**DATE:** 28/11/16

**CORAM:**

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

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

**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 13/12/16

*[Signature]*

Sd/-

(Rajiv Agarwal)  
Vice-Chairman [P.T.O.]

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

Tribunal's orders

**O.A.856/2014**

**Shri S.D. Thakur** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

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

This OA relates to the issue of promotion of the Applicant to the cadre of Health Equipment Maintenance Officer, General State Services, Class-II (to be hereinafter called the said post).

In fact, a very detailed account of events is not necessary to be narrated. It appears to be an indisputable factual position that the Applicant has been longing for the said promotion ever since the year 2004. We are told at the Bar that the DPC has not been convened from 2004. This factual aspect is not in dispute and as a matter of fact, no other challenge is thrown at the maintainability of this OA for any reason whatsoever.

It is absolutely clear, therefore, that it can by no stretch of imagination be countenanced that the DPC should not have been convened for more than a decade. The averments in that behalf having been made in Para 11 of the OA have not been traversed at all in the Affidavit-in-reply.

Although the prayer clause (c) *inter-alia* seeks deemed date of promotion from 2004, that relief cannot be granted now herein and that position in all fairness is again not disputed even by Mr. Dere, the learned Advocate for the Applicant. Therefore, regard being had to the inordinately long time taken even for convene DPC, we are of the opinion that appropriate time limit set down in disposing of this OA for the DPC to be convened and for considering the case of the Applicant for the promotion to the said post.

The present OA is allowed to the extent that the Respondents are hereby directed to convene the DPC for considering the promotion of the Applicant to the said post within a period of three months from today and convey to the Applicant the decision thereof within one week thereafter. No order as to costs.

**DATE:** 28/11/16

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. S.S. Dere

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. To O.A. is disposed of.

Sd/-

Sd/-

(R.B. Malik)  
Member (J)  
28.11.2016

(Rajiv Agarwal)  
Vice - Chairman  
28.11.2016

(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
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### O.A.1099/2016

**Shri J.S. Phad & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

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

Issue notice returnable on 02.01.2017.

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

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

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

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

S.O. to 2<sup>nd</sup> January, 2017.

Sd/-

(R.B. Malik)  
Member (J)

28.11.16

DATE: 28/11/16  
CORAM: Shri R.B. Malik (CMB)  
Holding: Shri J.S. Phad (Chairman)  
Shri M.D. Lonkar (Member) A  
M.D. Lonkar  
Advocate for Applicant  
Shri A.J. Chougule  
C.P.O. for Respondents

ACT TO: Issue notice returnable  
on 2/1/17

*[Handwritten signature]*

**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
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**M.A.483/2016 in O.A.1099/2016**

**Shri J.S. Phad & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

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

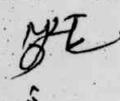
This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

Sd/-  28/11/16

(R.B. Malik)  
Member (J)  
28.11.2016

DATE: 28/11/16  
CORAM: Shri R.B. Malik (MB)  
Hon. Mr. H. Joshi (Chairman)  
Hon. Mr. Akumar (Member) A

APPEARANCE:  
Shri M.D. Lonkar  
Advocate for Applicant  
Shri/Smt. A.J. Chougule  
C.P.O. for Respondent/s

Adj. To: MA is allowed  


(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 <b>O.A.343/2016</b>
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**Shri S.K. Gunjal & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicants and Ms. N.G. Gohad holding for Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

Rejoinder is taken on record. OA is admitted and appointed for hearing on 19<sup>th</sup> December, 2016.

DATE: 28/11/16

CORAM: Shri R.B. Malik (M/J)  
Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:  
Shri/Smt. G.A. Bandiwadekar  
Advocate for the Applicant  
Shri/Smt. N.G. Gohad  
C.P.O./P.O. for the Respondent/s

**Admit.**  
Adj. To. 19/12/16

Sd/-  
  
(R.B. Malik) 28/11/16  
Member (J)  
28.11.2016

(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 align="center"><b><u>O.A.360 &amp; 361/2016</u></b></p> <p><b>Shri P.S. Misale &amp; Anr. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Shri S.S. Dere, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>Shri Dere, the learned Advocate for the Applicant makes a statement that he does not want to file Rejoinder. OA is admitted and appointed for hearing on 7<sup>th</sup> December, 2016.</p> <p align="right">Sd/- (R.B. Malik) Member (J) 28.11.2016</p> <p>(skw)</p>

DATE: 28/11/16

CORAM: Shri R.B. Malik (M/J)  
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~

~~Hon'ble Shri M. Rameshkumar (Member) A~~

APPEARANCE:

Shri/Smt. S.S. Dere

Advocate for the Applicant

Shri/Smt. : N.G. Gohad

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

Adj. To 7/12/16

*[Handwritten signature]*

# 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
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### O.A.948/2016

**Dr. S.L. Pawar & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Shri S.S. Dere, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 02.01.2017.

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

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

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

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

S.O. to 2<sup>nd</sup> January, 2017.

DATE: 28/11/16

CORAM: Shri R.B. Malik (M/J)  
Hon'ble Justice Shri A.G. Joshi (Chairman)

~~Hon'ble Shri M. Ramashkumar (Member) A~~

APPEARANCE:

Shri S.S. Dere

Advocate for the Applicant

Shri/Smt. N.G. Gohad  
C.P.O / P.O. for the Respondent/s

Ad. To: Issue notice

returnable on 2/1/17.

*[Handwritten signature]*

Sd/-

(R.B. Malik)  
Member (J)

28.11.2016

**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
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**M.A.381/2016 in O.A.948/2016**

**Dr. S.L. Pawar & Ors. ... Applicants  
Vs.**

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

Heard Shri S.S. Dere, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer 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.

Sd/-  
  
 (R.B. Malik)  
 Member (J)  
 28.11.2016

(skw)

DATE: 28/11/16  
 CORAM: Shri R.B. Malik (m/j)  
 Hon'ble Justice Shri A. H. Joshi (Chairman)  
 Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:  
 Shri/Smt. S.S. Dere

Advocate for the Applicant  
 Shri/Smt. N.G. Gohad  
 C.P.O./P.O. for the Respondent/s

Adj. To..... MA is allowed.

*Handwritten initials*

**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,  
Appearances, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders  
**O.A.280/2016**

**Shri M.M. Desale ... Applicant**  
**Vs.**  
**The State of Mah. & ors, ... Respondents**

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

The learned PO submits that the Sur-rejoinder is under typing. One chance is therefore granted to file the same. S.O. to 5<sup>th</sup> December, 2016.

Sd/-

(R.B. Malik)  
Member (J)  
28.11.2016

DATE: 28/11/2016

CORAM: Shri R.B. Malik (MJ)  
Hon'ble Justice S. A. H. Joshi (Chairman)  
Hon'ble Shri M. Anandkumar (Member) A

APPEARANCE:

Shri/Smt. G.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.G. Gohad holding for

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

Shri N.K. Rajpurohit C.P.O. for RsB

Adj. To: 28/11/2016

Handwritten initials/signature

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>28/11/16</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>C. T. Chandratre</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>8/12/16. Steno copy &amp; Hamdast is allowed to Hd. P.O.</u> <u>HT</u></p>	<p>Date : 28.11.2016.</p> <p>C.A.No.35 of 2016 in O.A.No.571 of 2015</p> <p>S.T. Shinde .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-</p> <p>(a) Applicant had applied and has furnished undertaking to the effect that if promotion is given to him, subject to outcome of the Writ Petition, which is filed by the State, he shall be abide by the order as may be passed by Hon'ble High Court.</p> <p>(b) Respondents had sought the opinion of learned P.O. which is already furnished, and a week's time is required for taking decision.</p> <p>3. In view of the request of learned P.O., adjourned to 08.12.2016.</p> <p>4. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.</p> <p style="text-align: right;">             (A.H. Joshi J.)            Chairman         </p> <p>prk</p> <p style="text-align: right;">[P.T.O.]</p>

(Presenting Officer.....)

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

Tribunal's orders

Date : 28.11.2016.

M.A.No.445 of 2016 in O.A.No.397 of 2016 (Aurangabad)  
with  
M.A.No.446 of 2016 in O.A.No.398 of 2016 (Aurangabad)S.Y. Sawant (M.A.445/2016 in O.A.397/2016)  
S.K. Malik (M.A.446/2016 in O.A.398/2016)

....Applicants.

Versus

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

1. Heard Shri C.T. Chandratre, the learned Advocate  
for the Applicants and Ms. S. Suryawanshi, the learned  
Presenting Officer for the Respondents.2. At the request of learned Advocate Shri C.T.  
Chandratre for the Applicants, adjourned to 06.12.2016.

DATE : 28/11/2016

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member)-A

APPEARANCE:

Shri/Smt. C. T. Chandratre

Advocate for the Applicant

Shri/Smt. S. Suryawanshi

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

Adj. To..... 6/12/16

prk

sd/-  
(A.H. Joshi J.)  
Chairman

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

Tribunal's orders

Date : 28.11.2016.

C.A.No.116 of 2014 in O.A.No.3 of 2013 with  
O.A.No.3 of 2013 with 24, 38, 39, 40 & 41 of 2014

S.R. Pimpatkar & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri J.N. Kamble, the learned Advocate for the Applicants and Shri D.B. Khaire, the learned Special Counsel with Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Learned Shri D.B. Khaire, the learned Special Counsel for the Respondents is directed to produce the copy of proposal referred to in paragraph 3 of affidavit of Contemnor No.1, Dr. Pravin H. Shingare, Director, Medical Education and Research, dated 19.09.2016, which is seen at page 205 and relevant paragraph 7 at page 208.

3. Learned P.O. prays for time till tomorrow i.e. 29.11.2016.

4. Time as prayed for is granted. Contemnor No.1, Dr. Pravin H. Shingare, Director, Medical Education and Research, Mumbai is also directed to remain present.

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

6. Adjourned to 29.11.2016.

(A.H. Joshi J.)  
Chairman

prk

DATE: 28/11/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. J. A. Kamble

Advocate for the Applicant

Shri/Smt. D. B. Khaire sp. counsel

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

with N.G. Gohad P.O. for K&S

Adj. To: 29/11/16.

*[Handwritten signature]*

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI****ORIGINAL APPLICATION NO.995 OF 2015****V.K. Jagdhane****....Applicant.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

Shri A.A. Gharte, the learned Advocate for the Applicant.

Shri K.B. Bhise, the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 28.11.2016

**ORDER**

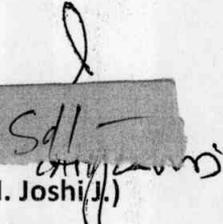
1. Heard Shri A.A. Gharte, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. The contents of paragraph 10(L)(1) of O.A. reads as follows :-  
".....  
..... The Applicant states that as per Rule 134 A of the Maharashtra Civil Services (Pension) Rules, 1982, issuance of show cause notice is mandatory."  
Quoted from amended portion of page 10 of O.A.)
3. Additional affidavit-in-reply is filed by Shri Mahendra N. Rokade, Assistant Commissioner of Police, office of Commissioner of Police, Mumbai. Averments contained in paragraph 10(L)(1) is answered in paragraphs No.2 and 3, which is at pages 91 and 92 of the O.A in an evasive manner.
4. The point contained in the ground 10(L)(1) is eloquent and does not need a commentary. High ranked Police Personnel are supposed to understand it, particularly when they are equipped with Law Officers and Legal advisors. Evasive reply and misleading distorted reply results in wasting Police Personnels' time as well time of this Tribunal.

5. Therefore, in the background noted in the foregoing paragraph, it is necessary to put questions to Shri Mahendra N. Rokade, Assistant Commissioner of Police, office of Commissioner of Police, Mumbai i.e. the person who has filed the affidavit. He is, therefore, called to remain present on the next date.

6. If the Respondent wants to take a stand of seeking liberty to withdraw impugned notice with liberty to file fresh notice, the Respondent shall be free to do so, by issuing order of that effect. However, this type of action shall not exempt the personal attendance of Shri Mahendra N. Rokade, Assistant Commissioner of Police, Mumbai.

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

8. S.O. to 30.11.2016.

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

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prk