

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

Tribunal's orders

Date: 29.11.2019

O. A. No. 1168 of 2019

D.B. Marale .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana. B.K., learned Presenting Officer for the Respondents.

2. In the present O.A., the Applicant is seeking correction of date of birth in service record. According to him, his real date of birth is 1.6.1966 but in service record, it is recorded as 1.6.1962. He was appointed as Police constable in 1986 but seems made Application to Additional Commissioner of Police for correction of Date of Birth on 5.3.2013.

3. Thereafter, file seems moving from the office of Commissioner of Police to Director General of Police to Government till date. It seems that certain queries were raised and additional information was called from the Director General of Police. As such, there is no final decision by Government till date.

4. In view of above, the present O.A. being premature, it needs to be disposed of with suitable direction to the Respondent No.1 to decide the claim of the Applicant for correction in date of birth in accordance to Rules within stipulated period.

5. O.A. is disposed of with direction to Respondent No.1 to decide the claim of the Applicant for correction of date of birth in service record in accordance to Rules within three months from today.

6. Respondent No. 1 shall communicate the decision to the Applicant within two weeks thereafter.

7. If the Applicant felt aggrieved by the decision, he will be at liberty to take recourse of law.

8. No order as to costs.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 29.11.2019.</b></p> <p><b>O.A.No.719 of 2019</b></p> <p><b>A. R. Amane</b> ....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"><li>1. Heard Shri Sumant Deshpande, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</li><li>2. Today, learned P.O. has filed Affidavit-in-Rejoinder. It is taken on record.</li><li>3. Matter is adjourned for hearing at the stage of admission.</li><li>4. S.O. to 10.01.2020.</li></ol> <p>Sd/-</p> <p><b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>

(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><b>Date : 29.11.2019</b></p> <p><b>O.A.No.1062 of 2019</b></p> <p><b>Dr. B. T. Karavekar</b> ..... Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ..... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Smt.Kranti Gaikwad, learned Presenting Officer along with Shri S. D. Dole, learned Presenting Officer for the Respondents.</li> <li>2. Present O.A. is filed by the Applicant for direction to release retiral benefits with interest which are withheld despite the period of 18 months are over from retirement.</li> <li>3. Earlier, the Applicant has filed O.A. No.628/2010 challenging the suspension and delay in conclusion in D.E. initiated against him. The Original Application No.628/2010 was disposed of by this Tribunal on 22.11.2010 with direction to the Respondents to complete the D.E. within three months, failing which suspension order dated 21.05.2010 will stand revoked.</li> <li>4. Noting this fact, this Tribunal in order dated 07.11.2019 passed in this O.A. at the time of admission observed that this is the worst case of contempt which explicitly exhibits that the concerned Government officials have no regard to the order passed by this Tribunal and the same has been flouted with impunity.</li> </ol>

5. The Tribunal, therefore, directed the Respondent No.1 to explain the delay in completion of D.E. in terms of order passed by this Tribunal and further to explain why contempt proceeding should not be initiated for willful disobedience of the order passed by this Tribunal in O.A.No.628/2010 on 22.11.2010.
6. Today, Dr. Pradeep Vyas, Principal Secretary, Public Health Department has filed Affidavit. It is taken on record.
7. In Affidavit, it is stated that the department is taking necessary steps for completion of D.E. There is absolutely no justifiable explanation to explain inordinate and huge delay of eight years in completing D.E. Enquiry Officer seems to have submitted the report by his letter dated 19.03.2018 addressed to the Secretary, Public Health Department, Mantralaya, Mumbai which seems to have been simply ignored. It is only after the order passed by this Tribunal on 07.11.2019, the department attempted to trace the enquiry report.
8. Suffice to say, the present case is a classic example of negligence, laxity and disobedience of the order passed by the Tribunal with impunity. The Tribunal has noticed that disobedience of the order passed by this Tribunal has become regular feature, and therefore, matter needs to be dealt with sternly.
9. As such, Affidavit filed today is not at all acceptable.
10. At this stage, learned Counsel for the Applicant seeks one week's time to file contempt proceeding against the concerned officials.
11. In view of above, the matter is adjourned to 09.12.2019.

Sd/-

( A.P. KURHEKAR )  
MEMBER (J)

O. A. No. 1166 of 2019

Dr. A.R. Patil .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Smt. S. Suryawanshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 13.12.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 Original Application. 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. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 13.12.2019. Issue of interim relief is kept open.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

# 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: 29.11.2019</b></p> <p><b>O. A. No. 1103 of 2019</b></p> <p><b>V.N. Wagh</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p>
	<p>1. Heard Smt. R. Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The present O.A. is filed for direction to the Respondents to release retrial benefits in view of Voluntary Retirement of the Applicant granted w.e.f. 1.2.2019.</p> <p>3. As such, though the period of more than nine months is over, the retrial benefits are withheld. Once VRS is accepted, there should be no hurdle in granting all retrial benefits.</p> <p>4. In view of above, the Respondent No.2 is called upon to explain why retrial benefits are withheld. The Respondent No.2 is directed to depute responsible Officer to be present in the tribunal on 09.12.2019.</p> <p>5. The Respondent No.2 to note that if it is found that retrial benefits are withheld due to administrative lapses, then the Applicant will be entitled for interest on the retrial benefits as per section 129 (A) &amp; 129 (B) of the M.C.S. (Pension) Rules, 1982.</p> <p>6. S.O. to 09.12.2019</p>
	<p><i>(Signature)</i>  Sd/-    w  <b>(A.P. KURHEKAR)</b>  <b>MEMBER (J)</b></p>
	<p>NMN</p>

**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>Date: 29.11.2019</p> <p>O. A. No. 1009 of 2019</p> <p>J.P. Biradar &amp; Ors. ....Applicant Versus The State of Maharashtra. ....Respondent.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent.</p> <p>2. Today, learned C.P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of Admission on 10.12.2019.</p> <p style="text-align: right;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

**FARAD CONTINUATION SHEET NO.**

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

Tribunal's orders

Date: 29.11.2019

O. A. No. 875 of 2019

Smt. L.B. Sarole

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. The learned Advocate Shri P.S. Bhavake is absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The Respondent Nos. 2 to 4 has already filed Reply. Respondent No.1 has still not filed his Reply though enough time is given.

3. Adjourned for hearing at the stage of Admission on 20.12.2019.

Sd/-

(A.P. KURHEKAR)  
MEMBER (J)

NMN



**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 style="text-align: center;"><u>O.A. No.1055 of 2019</u></p> <p>M.L. Dudhalkar &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri M.D. Lonkar, learned Advocate for the Applicant has filed leave note.</p> <p>3. At the request of Ld. CPO adjourned to 16.12.2019.</p> <p style="text-align: right;">Sd/- : (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.792 of 2019</u></p> <p>D.B. Bamane. ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 6.12.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</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
	<p align="center"><u>O.A. No.729 of 2019</u></p> <p>S.V. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 9.12.2019.</p> <p align="right">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</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
	<p align="center"><u>O.A. No.386 of 2019</u></p> <p>D.R. Jadhav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Vaibhav Birmule, learned Advocate holding for Shri D.V. Sutar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to file reply. Ld. PO is directed to file early reply as the matter has been delayed considerably.</p> <p>3. S.O. to 9.12.2019.</p> <p align="right">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</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
	<p align="center"><u>O.A. No.314 of 2019</u></p> <p>S.S. Panindre ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Id. Advocate on instructions from the applicant submits that grievance mentioned in the prayer has been addressed. He therefore seeks permission to withdraw the above OA with liberty to file fresh OA if there is any further grievance.</p> <p>3. OA is allowed to be withdrawn with liberty to file fresh OA if there is any further grievance.</p> <p align="right">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</p>



**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 style="text-align: center;"><u>R.A. No.20 of 2019 in O.A. No.1137 of 2018</u></p> <p>D.J. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 9.12.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</p>

**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 style="text-align: center;"><u>R.A. No.13 of 2019 in O.A. No.35 of 2019</u></p> <p>Y.L. Dharavane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks adjournment, which is opposed by the Ld. Advocate for the applicant.</p> <p>3. S.O. to 9.12.2019 by way of last chance.</p> <p style="text-align: right;">Sd/- (P.N<sup>l</sup> Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</p>



**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 align="center"><u>O.A. No.1129 of 2019</u></p> <p>U.D. Mhaske ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that he may be permitted to file MA for condonation of delay.</p> <p>3. At his request adjourned to 16.12.2019.</p> <p align="right">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.1125 of 2019</u></p> <p>S.V. Lolge &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks adjournment to satisfy this Tribunal regarding the examination which is supposed to be cleared by the applicants.</p> <p>3. At his request adjourned to 6.1.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 29.11.2019</p> <p>(sgj)</p>

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="753 412 915 443"><u>29.11.2019</u></p> <p data-bbox="1029 508 1230 539"><u>O.A 993/2016</u></p> <p data-bbox="753 584 1393 616">Shri A.S Azami S. Nadeem ... Applicant</p> <p data-bbox="938 618 984 645">Vs.</p> <p data-bbox="753 647 1430 678">The State of Maharashtra &amp; Ors ... Respondents</p> <p data-bbox="753 707 1511 831">1. Heard Smt Ranjana Todankar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p data-bbox="753 882 1511 1095">2. Today during final hearing learned Presenting Officer produces a communication addressed to him informing that the Respondent (State Government) have taken a decision regarding the prayer made by the applicant.</p> <p data-bbox="753 1162 1511 1424">3. On instructions from Mrs Parveen Jugari, ASO, Minority Development Department, learned P.O further mentions that decision has not been communicated to the applicant. The Respondents are directed to ensure that the decision is communicated to the applicant within a period of one week from today.</p> <p data-bbox="753 1491 1511 1615">4. O.A is accordingly disposed of with liberty to agitate against the impugned order as and when received, within a period of two months. No order as to costs.</p> <p data-bbox="1312 1675 1377 1706">Sd/-</p> <p data-bbox="1208 1756 1463 1816">(P.N Dixit) Vice-Chairman (A)</p> <p data-bbox="743 1823 781 1843">Akn</p>