(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : S. P. Manchekar Advocate for the Applicant Shri /Smt. : K. B. Bhise C.P.O / P.O. for the Respondent/s Adj. To 4/5/16	**Date : 31.03.2016.** **O.A.No.1105 of 2015** 1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Adjourned to 04.05.2016 Sd/- **(A.H. Joshi, J.)** **Chairman** prk

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

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versus

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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

DATE : 31/3/16

CORAM :

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

Hon'ble Shri M. Ramesh kumar (Member) A

APPEARANCE :

Shri/Smt. : S. P. Manchekar

Advocate for the Applicant

Shri /Smt. : K. B. Bhise

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

Adj. To..... Heard

order passed in Tribunal Column on 2 is disposed as withdrawn with Liberty as indicate

Date : 31.03.2016.

M.A.No.60 of 2016 in O.A.No.1105 of 2015

1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Advocate Ms. S.P. Manchekar for the Applicant states that bare amendment in the prayer seems to be scant and hence prays for permission to withdraw with liberty to file fresh application for amendment, if necessary.

3. M.A. is disposed as withdrawn with liberty as indicate.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Kanthaliker (Member) A~~ APPEARANCE : Shri/Smt. : Punam Mahajan Advocate for the Applicant Shri /Smt. : K. B. Bhise. C.P.O / P.O. for the Respondent/s D. U. Pawar Adv for Respondent 4 Adj. To 7/4/16.	**Date : 31.03.2016.** **O.A.No.19 of 2016** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant, Shri K.B. Bhise, the learned Presenting Officer for the Respondents and Shri D.U. Pawar, the learned Advocate for Respondent No.4. 2 Learned Advocate Smt. Punam Mahajan for the Applicant has filed rejoinder. It is taken on record. Copy be tendered to the Respondents. 3. Adjourned to 07.04.2016. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 'E.

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

O.A.24/2016

Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. N.G. Gohad holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

Shri Dere, the learned Advocate for the Applicant states that the Applicant do not want to file Affidavit-in-rejoinder. Heard both the sides on facts by consent. The matter is appointed for final hearing before the appropriate Division Bench on 11th April, 2016.

Sd/-

31.3.16

(R.B. Malik)
Member (J)
31.03.2016

(skw)

DATE: 31/3/16
CORAM:
~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~
Hon'ble Shri ~~M. Ramesh Kumar~~ R.B. Malik (Member) ~~A~~ J
APPEARANCE:
~~Shri/Smt.~~ S.S. Dere
Advocate for the Applicant
~~Shri/Smt.~~ N.G. Gohad holding for
C.P.O / P.O. for the Respondent/s
K.S. Gaikwad, P.O. for Rsps
~~Adj. To.....~~ for final hearing before the appropriate D/B - II on 11th April, 2016.

D/B - II

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 31/3/16 DLB CORAM: ~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~ Hon'ble ~~Shri~~ R.B. Malik (Member) ~~A~~ APPLICANT: Shri/Smt. K.R. Jagdale Advocate for the Applicant ~~Shri/Smt.~~ N.G. Gohad C.P.O / P.O. for the Respondent/s Adj. To 25/4/16. Bytc	**O.A.89/2016** Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. Affidavit of Respondent No.4 only has been filed. Other Respondents have not done so far. Last chance is being granted for the Affidavits-in-reply making it clear that if the reply was not filed by whosoever Respondent, the matter will proceed without their reply and the net result thereof would be constructive admission of the contents of the OA. S.O. to 25th April, 2016. Sd/- (R.B. Malik) Member (J) 31.03.2016 (skw)

[PTO

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

O.A.244/2016

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

The Affidavit-in-rejoinder is taken on record. Heard the learned P.O. Last chance is granted for the State Government to file Affidavit-in-reply in view of Rule 6 of Maharashtra Small Family Rules. In the meanwhile, the interim order earlier made is extended till further orders.

S.O. to 18th April, 2016. Hamdast.

Sd/-

31.3.16

(R.B. Malik)
Member (J)
31.03.2016

(skw)

DATE : 31/3/16 DLB

CORAM :

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

Hon'ble Shri ~~M. Ramakrishnan~~ (Member) A R.B. Malik J

APPEARANCE :

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : N.G. Gohad

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

Adj. To 18/4/16, Hamdast.

D.E

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A. No. 11/2016 in O.A. No. 1053/2013.

Shri Angadh Rambhau Jadhavar ..Applicant

Versus

Shri K.P. Bakshi,
Additional Chief Secretary,
Home Department, Mantralaya,
Mumbai-32 and two others. ..Respondents.

Ms. Lata Patne holding for Shri V.B. Joshi, the learned Advocate for the applicant.

Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Coram: Justice A.H. Joshi, Chairman

Date: 31.03.2016.

ORDER

(1) Heard Ms. Lata Patne holding for Shri V.B. Joshi, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

(2) The learned Presenting Officer states that:-

(a) The order passed by this Tribunal on 25.2.16 is communicated to the Respondent No. 1 and 2 through letter dated 4.3.2016, however response is yet awaited from the Respondent No.1.

(b) Response is received from the Respondent No.2 to the effect that grant of T.B. Leave to the extent it was within the powers of D.G.P, the compliance is done, and for remaining compliance the matter is referred to the Respondent No.1 by letter dated 19.12.2015.

(3) In the background that Respondent No.1 has not responded, the Respondent No.1 Shri K.P. Bakshi, A.C.S. Home is directed to file his own affidavit on following points.

(a) Whether his office has received the copy of order passed in O.A. 1053/13.

(b) Whether he has seen this order, and on which date.

(c) Whether his office has received the communication dated 19.12.15 from the office of D.G. which is relating to applicant's case.

(d) Whether he has seen the said communication received from the office of D.G. and the date on which he has seen it.

(e) What actions are taken with reference to various dates of actions taken.

(f) What is the legal impediment in deciding the matter of grant of applicant's T.B leave at the level of government furtherance to the communication dated 19.12.2015 from the D.G. Office.

(g) Time frame within which the decision would be taken.

(h) Name of the officer who is responsible for not taking the decision.

(i) Does he consider that it is not necessary to respond to present Contempt case and if he wants, why no response has been filed before due date.

(4) Learned P.O is directed to communicate this order.

(5) Steno copy and Hamdast is allowed to the learned P.O for communication.

(6) S.O to 21.04.2016.

(A.H.Joshi,J.)
Chairman

Psz

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

O.A. No.936 of 2015 with M.A. No.91 of 2016

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

Reply is filed in the OA. There is no need to wait for reply in the MA. Both the matters be placed for final hearing on 4.4.2016.

31.3.16

(R.B. Malik)
Member (J)
31.3.2016

(Rajiv Agarwal)
Vice-Chairman
31.3.2016

(sgj)

DATE: 31/3/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman)
Hon'ble Shri R. B. MALIK (Member) J
APPEARANCE:
Shri/Smt.: G.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt.: K.S. Gaikwad
C.P.O./P.O. for the Respondents

Adj to 4/4/16
O.A. 936/15
MA 91/16.
FH

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

DATE: 1/4/16.

CORAM:

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

~~Hon'ble Shri M. Ramesh kumar (Member) A~~

APPEARANCE:

Shri/Smt. : J.N. Kamble

Advocate for the Applicant

Shri/Smt. : K B Bhise

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

Adj. To..... Heard order passed in Tribunal Column Adj to 3/5/16.

Date: 01.04.2016 (D.B. Matter)

M.A. No. 622/2015 in O.A. No. 1103/2015

Shri Vitthal Revappa Sakate. ..Applicant

Versus

The State of Maharashtra and Ors. ..Respondent

(1) Heard Shri J.N. Kamble, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

(2) The learned Advocate for the applicant prays for leave to amend for rearranging the annexures and if necessary for substituting the memo of Misc. Application.

(3) Leave as prayed for is granted. Amendment be carried out within ~~two~~ 3 four weeks. Copy of amended M.A. be served on the respondents.

(4) Adjourned to 3.05.2016.

(A.H.Joshi.J)
Chairman
1.4.2016

(psz)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl. MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 31.03.2016. (D.B. Matter) O.A. 122/2016 (1) Heard Shri A.V. Bandiwadekar, the learned Advocate for the applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. (2) The learned P.O state that affidavit in reply is ready, however on perusal of the same he finds that some more efforts are necessary to make it appropriate. (3) The learned P.O Prays for four weeks time to file fresh appropriate reply explaining each and every point. (4) It is hoped that no further adjournment would be necessary. S.O to 28.04.23016. Sd/- **(A.H.Joshi,J)** **Chairman** Psz

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant ~~Shri/Smt.~~ : N.G. Gohad C.P.O / P.O. for the Respondent/s Admit. ~~Adj. To:~~ To come up for hearing in due course. Sd/-	Date: 31.03.2016. (D.B. Matter) O.A. 321/2015 (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) Admit. To come up for hearing in due course. Sd/- (A.H.Joshi,J) Chairman Psz

[P.T.O.

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

Date: 31.03.2016. (D.B. Matter)

O.A. No.891/2015

(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) The learned Advocate for the applicant states that he wants to amend the Original Application by substituting the memo of O.A. and if required carry out fresh pagination.

(3) Leave to substitute the Memo of O.A., index and synopsis is granted. Affidavit which is at page 38A onwards be struck of and be removed for enabling the respondent to file fresh affidavit after the amendment.

(4) Copy of amended O.A. be served on the respondents.

(5) The learned Advocate for the applicant prays for four weeks time for substitution of the Original Application.

(6) Time as prayed for substitution of O.A. is granted.

(7) The learned Presenting Officer prays for four weeks more time thereafter for filing reply.

(8) S.O to 22.06.2016.

Sd/-

(A.H.Joshi,J.)
Chairman

Psz

DATE : 31/3/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesh kumar (Member) A~~
APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri /Smt. : K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To 22/6/2016.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 31/3/16 CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Manoharan (Member) A Shri/Smt. None for the appl. Shri/Smt. N.G. Gohad C.P.O. for the Respondent/s Adj. To 20/6/2016	Date: 31.03.2016. (D.B. Matter) C.A. No. 116/2014 in O.A. No. 3/2013 with O.A. 24, 38, 39, 40 and 41 of 2013. (1) None for the applicant. Heard Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. (2) Adjourned to 20.06.2016. Sd/- **(A.H.Joshi,J)** **Chairman** Psz

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : ~~Shri/Smt.~~ : Punam Mahajan Advocate for the Applicant Shri /Smt. : K.B. Bhise C.P.O / P.C. for the Respondent/s Adj. To 30/6/2016.	**Date : 31.03.2016.** **C.A.No.32 of 2016 in O.A.No.253 of 2016** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2 Adjourned to 30.06.2016. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri/Smt. : N.G. Gohad C.P.O./P.O. for the Respondent/s Adj. To 20/6/16. BTL	Date: 31.03.2016. (D.B. Matter) C.A. No. 52/2015 in O.A. No. 315/2014 (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) The learned P.O has tendered Affidavit of Respondent No.1. It is taken on record. (3) The learned Advocate for the applicant prays for time to consider whether the compliance is satisfactory. (4) Adjourned to 20.06.2016. Sd/- (A.H.Joshi,J.) Chairman Psz

[P.T.O.

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

Date : 31.03.2016.

C.A.No.63 of 2015 in O.A.No.511 of 2012

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri R.M. Kolge for the Applicants states that operative order contained in paragraph 8 is still not complied by the Respondents.

Relevant portion is quoted for ready reference :-

"8. Cases similar to the illustrative cases of the type mentioned in Para 5 supra also need to be identified by the respandents and the matter of grating the benefits of TBP reconsidered and decided within two months from the date of this order."

(Quoted paragraph 8, page 19 from the enclosed order copy.)

3. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-

(a) Whether compliance of directions contained in paragraph 8 needs to be re-verified.

(b) Three weeks time may be granted for the same.

4. Time as prayed for is granted.

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

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

7. S.O. to 22.04.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 31/3/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramachkumar (Member) A~~
APPEARANCE :
Shri/Smt. : R.M.Kolge
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 22/4/16.

(G.C.P.) J. 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

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 Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh Kumar (Member) A~~ APPEARANCE : Shri/Smt. : Hmc for the appl. Advocate for the Applicant ~~Shri/Smt.~~ : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Admit. Adj. To To come up for final hearing in due course	**Date : 31.03.2016.** **O.A.No.688 of 2015** 1. None for the Applicant. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2 Admit. To come up for Final hearing in due course. Sd/- (A.H. Joshi, J) Chairman prk

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 31.03.2016.

O.A.No.286 of 2016

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2 Learned Advocate Shri K.R. Jagdale for the Applicant states as follows :-

(a) There is a subsequent development namely the applicant is suspended by the Government.

(b) Applicant wants to challenge his suspension and thereafter he will decide whether to pursue this O.A..

3. In view of this request, hearing of this O.A. is adjourned to 04.07.2016, with liberty to circulate before due date, if occasion arises.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Kanesiliangar (Member) A~~ APPEARANCE : Shri/Smt. : J.N. Kamble Advocate for the Applicant Shri/Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s Adj. To 25/4/16.	**Date : 31.03.2016.** **O.A.No.784 of 2015** 1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2 Learned Advocate Shri J.N. Kamble for the Applicant has placed reliance on the judgment of this Tribunal rendered in O.A.No.192 of 2015. 3. Respondents are directed to explain on the next date as to whether and for what reasons the view is different from one taken in O.A.No.192 of 2015 can be taken by the Respondent no.3 in particular and generally by the Government in the present case. 4. Steno copy and hamdast is allowed to learned P.O.. 5. Learned P.O. is directed to communicate this order to the Respondents. 6. S.O. to 25.04.2016. Sd/- **(A.H. Joshi, J)** **Chairman** prk

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

Date : 31.03.2016.

O.A.No.114 of 2016

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

2 Issue notice before admission made returnable on 20.06.2016.

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

4. Applicants are 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.. 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. Applicants are directed to file Affidavit of compliance and notice.

7. Adjourned to 20.06.2016.

Sd/-

(A.H. Joshi)
Chairman

prk

DATE : 31/3/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member) A~~
APPEARANCE :
Shri/Smt. : A.V. Bandiwadekar
Advocate for the Applicant,
Shri /Smt. : K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To 20/6/2016

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant. Shri/Smt. : K.B. Bhise C.P.O. / P.O. for the Respondent/s Adj. To.... MA is allowed. BHJ	**Date : 31.03.2016.** **M.A.No.49 of 2016 in O.A.No.114 of 2016** 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2 This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid. 5. M.A. is allowed. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

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versus

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearonce, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri /Smt. : A.J. Chougule C.P.O / P.O. for the Respondent/s Adj. To 5/4/16 by consent.	**Date : 31.03.2016.** **O.A.No.951 of 2015** 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant, Shri A.J. Chougule, the learned Presenting Officer for the Respondents No.1 & 3 and Smt. Punam Mahajan, the learned Advocate for Respondent No.2. 2. By consent, adjourned to 05.04.2016 Sd/- **(A.H. Joshi, J.)** **Chairman** prk

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others.

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon. Justice Shri A.H. Joshi (C) ~~Hon'ble Justice Shri A. H. Joshi (Chairman)~~ ~~Hon'ble Shri M. Ramesh kumar (Member) A~~ APPEARANCE : ~~Shri/Smt.~~ : Punam Mahajan Advocate for the Applicant Shri /~~Smt.~~ : N.K. Rajpurohit C.P.O / P.O. for the Respondent/s Adj. To 5/4/16.	**Date : 31.03.2016.** **O.A.No.53 of 2016** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant, Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents No.1 to 3 and Shri A.V. Bandiwadekar, the learned Advocate for the Respondent No.4. 2 Learned Advocate Smt. Punam Mahajan for the Applicant prays for adjournment. 3. S.O. to 05.04.2016 Sd/- (A.H. Joshi, J.) Chairman prk

[P.T.O.

(G.C.P.) J 1726(B) (20,000—10-2013) |Spl.- MAT-F-2 E.

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

31.03.2016

R.A 35/2015 in O.A No 682/2014

S. A. Bandiwadekar

1. Heard Shri ~~V.M. Bendse~~, learned advocate for the applicant and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 21.4.2016.

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 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 to 21.4.2016.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 31/3/16

CORAM:

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

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

APPEARANCE:

~~Shri/Smt.~~ .....

Advocate for the Applicant

~~Shri/Smt.~~ ...N.K. Rajpurohit...

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

order passed on the Tribunal's column.

~~Adj To~~.....

S.O. to 21/4/16.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

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 Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 31/3/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : S.P. Saxena Advocate for the Applicant Shri /Smt. : A.J. Chougule C.P.O / P.O. for the Respondent/s Admit. ~~Adj. To.~~ Liberty to move for earlier hearing no sooner the W.P. is disposed of.	**Date : 31.03.2016.** **O.A.No.36 of 2016** 1. Heard Shri S.P. Saxena, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents. 2 It is a common ground that order passed in O.A.No.735 of 2013 is carried before the Hon'ble High Court and Writ Petition is admitted and expected to come up for final hearing sooner. 3. Learned Advocate Shri S.P. Saxena for the Applicant has tendered rejoinder. It is taken on record. 4. It shall be appropriate to wait till the judgment in the Writ Petition filed by the State is delivered. 5. In so far as Final hearing of this O.A. is concerned, O.A can be admitted. 6. Hence, following order :- Admit. Liberty to move for earlier hearing no sooner the Writ Petition is decided. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

[P.T.O.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.14 OF 2016

DISTRICT: PALGHAR

Shri Suryabhan M. Mundhe .... **Applicant**

Versus

The Divisional Commissioner & Other ...**Respondents**

Shri A.V. Bandiwadekar, the learned Advocate for the Applicant.

Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 31.03.2016.

O R D E R

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 O.A. is taken up for hearing.

3. Applicant has averred in paragraph 6.9 showing that one Shri S.N. Gangurde, Sectional Engineer, Public Works Department who was suspended along with applicant is reinstated.

4. Paragraph 6.9 is replied in affidavit-in-reply filed on behalf of Respondents No.1 & 3 by Shri Makarand Pralhad Deshmukh, Deputy Commissioner (E.G.S.), Divisional Commissioner, Konkan Division, Navi Mumbai. Relevant text reads as follows :-

> *"11. With reference ta Para 6.9, I say that, the Petitioner cannot claim the benefit given ta somebady earlier as his right."*
>
> *(Quated from page 43 af the reply)*

5. On perusal of para-wise remarks which were furnished to learned P.O., it is seen that reply filed before this Tribunal is a replica of para-wise remarks filed by the officer, Shri Makarand Pralhad Deshmukh, Deputy Commissioner (E.G.S.), Divisional Commissioner, Konkan Division, Navi Mumbai.

6. In fact reply ought to have been based on facts and based on legal or factual justification showing the grounds and reasons due to which applicant is not entitled to claim parity with the Sectional Engineer, Shri S.N. Gangurde, referred to in paragraph no.6.9 of the O.A. paper book.

7. Shri Makarand Pralhad Deshmukh, Deputy Commissioner (E.G.S.), who has filed this affidavit and had furnished para-wise remarks is called to show cause a personal cost of Rs.25,000/- for failing to give reply based on facts if those be distinguishable with reference to the case of Shri S.N. Gangurde, than giving cryptic, rude, evasive and irresponsible reply.

8. In view of filing impolite and rude reply the officer is called to show cause why he should not be directed to bear personally the expenses of coming to Mumbai and filing reply and also not to draw other allowances, whatsoever towards said transit.

9. Steno copy and hamdast is allowed to learned P.O..

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

11. S.O. to 06.04.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

ORIGINAL APPLICATION NO.241 OF 2016

DISTRICT : NAVI MUMBAI

Shri Kishor Kashinath Patil.)
Age : 31 Yrs, Working as Assistant)
(Personal Assistant to Estimate Committee)
Chairman, Vidhan Bhavan, Mumbai),)
R/o. C-102, Moreshwar Complex, Near)
Gokul Dairy, Sector 18, Kamothe,)
Navi Mumbai.)...**Applicant**

Versus

1. The State of Maharashtra.)
Through the Secretary (Forest),)
Revenue & Forest Department,)
Mantralaya, Mumbai - 400 032.)

2. The Chairman / Secretary.)
Maharashtra Public Service)
Commission, (M.S), Mumbai,)
Having office at Opp. Cooperage)
Ground, Mumbai 400 032.)...**Respondents**

Shri A.V. Bandiwadekar, Advocate for Applicant.

Shri K.B. Bhise, Presenting Officer for Respondents.

P.C. : R.B. MALIK (MEMBER-JUDICIAL)

DATE : 31.03.2016

JUDGMENT

1. This is an interim order. The Applicant seeks interim relief of allowing him to appear at the preliminary examination for the post of Range Forest Officer. The computer has not accepted his application because the qualification that he holds of B.E. in Information Technology has been deleted from the eligibility criterion and qualification by the Rules framed on 05.02.2016.

2. I have perused the record and proceedings and heard Mr. A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

3. It must be clearly understood that all my observations herein are strictly for the purposes of the interim order and no party is going to be concluded hereby for the purpose of the final determination.

4. The Applicant is currently working in the legislative assembly. As already mentioned above, he is B.E. in Information Technology and he wanted to compete

for the said post, but for the reasons already indicated above, the said move has been blocked which he seeks to get removed by a judicial fiat. There can be no issue about the fact that just like any other judicial forum, this Tribunal is also clothed with the power to grant interim relief in a deserving matter. However, the circumscription in the jurisdiction of a judicial forum exercising power of judicial review of administrative action is surely there, both at the time of the final adjudication as well as interim relief. The grant of relief, both final as well as interim would depend upon the facts peculiar to each matter and application of principles will have to be made at both the stages.

5. It is not disputed that under the 1998 Rules which have been superseded by the Rules framed on 5th February, 2015, the qualification held by the Applicant was a valid one while in the Rules of 2015 that qualification has been deleted. The fact that the said qualification has been deleted is not in dispute. Both the set of Rules came to be framed under the proviso to Article 309 of the Constitution of India (Constitution). The Applicant has in the manner of speaking challenged this aspect of the 2015 Rules which will have to be placed under judicial scrutiny at the time of final hearing of this OA. It is very clear,

therefore, that the grant of interim relief at this stage as a fall out is bound to produce a result that despite supersession and hence, demise of 1998 Rules, I will have infused life thereinto despite a clear language to the contrary in the 2015 Rules and more particularly in its preface itself. Without getting drawn into the niceties of the matter, I think it can be safely mentioned that this course of action cannot be a common place one and in case, it is to be adopted, it has to be after due consideration of all the facts and legal principles and not just for the asking.

6. The basic principle of interpretation of statute, and therefore, all the Rules of whatever efficacy is that the judicial forum has not to proceed with an initial presumption that the Act or instrument is constitutionally or legally bad. If anything, the presumption has to be in favour of its validity.

7. Mr. Bandiwadekar, the learned Advocate in strongly canvassing his case for interim relief invited reference to the fact that a couple of other courses were also excluded from the eligibility criterion, but they have been now included, and therefore, there is no reason why

the course of Information Technology should be discriminated against.

8. A very detailed reading of the record in this behalf may not be quite apposite, but it does appear that the opinion of the Chief Conservator of Forest was obtained in the matter as would be reflected by the communication of 11th February, 2016 (Annexure '1' to the Affidavit-in-reply of MPSC at Page 48 of the paper book). It was categorically mentioned therein that while the courses mentioned in Para 4 (Page 50 of the P.B.) would be eligible those engineering graduates holding the degree in Information Technology, instrumentation, B.Sc. Bio-Technology, B. Pharmacy, B. Tec. Food Science would not be eligible. Mr. A.V. Bandiwadekar also referred me to the record to emphasis that Information Technology has been found to be a good qualification for higher posts even by the UPSC, and therefore, it comes ill from the mouth of the Respondents to block the degree holders in this discipline from competing for the said post.

9. In my opinion, however, unless the hostile discrimination was writ large *ex-facie* this Tribunal may not be justified in assuming the role of an expert in the field. It is undoubetedly true and is borne out by record

that a very conscious decision has been taken to exclude Information Technology from the eligibility criterion. Whatever happens at the time of final determination is in the realm of future, but as of now, I do not think, I can rush to the rescue of the Applicant and grant him interim relief.

10. A principle of law was stated by Mr. Bandiwadekar that the vacancies which could be called "old vacancies" would have to be filled up from the stand point of the Rule then in force. In actual fact, it was his contention that 1998 Rules would still govern this particular matter because the vacancies must have existed when 2015 Rules came into force.

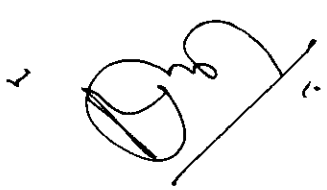
11. It appears quite clearly that the advertisement No.5 of 2016 it was whereunder on 3rd February, 2016, the said post was advertised. It is Applicant's own case that he unsuccessfully competed for this particular post itself in 2014 also for which the advertisement was issued on 12th February, 2014. At this stage, therefore, even on facts, it appears highly improbable that the vacancies advertised in 2016 are old vacancies. I do not think that it would be a good approach to ignore the existing realities. Mr. Bandiwadekar in this connection, referred me to a common

judgment rendered by the second Bench of this Tribunal which spoke through me in OA 933/2012 and OA 1140/2013, dated 12.8.2015. Therein, the two non-commissioned Officers discharged from Army and hence, ex-servicemen wanted to compete for the post of Dafter Karkoon, Canal Inspector and Measurer. The issue arose in the context of their failure to clear the examination of MS-CIT. The case of the Government was that they did not hold the said qualification, and therefore, the issue of applicability of the Rules, old and new, arose for determination. The second Bench relied upon a number of judgments of the Hon'ble Supreme Court including **Kulwant Singh and others Vs. Daya Ram and others, (2015) 3 SCC 177**. The law was that vacancies which had occurred prior to the amended Rules would be governed by old Rules and not by amended Rules.

12. Now, as to the above aspect of the matter, I find that as already alluded above, it is not possible to hold with any degree of certainty at this stage that the vacancies in question are old vacancies, in the sense, the said term is understood in this branch of law. It needs to be repeated that interviews and selections were made quite recently as per the advertisement issued in 2014. I do not, therefore, think that I should be proceeding on any presumption that

just because the advertisement has been issued in 2016, it pertains to old vacancies. In fact, the 2015 Rules came into force in February, 2015 superseding the 1998 Rules, and therefore, in fact, there is every reason to believe at least at this stage that the vacancies now advertised are new vacancies. I can appreciate the case of the Applicant that in that event, there ought to have been material to be adduced by the Respondents in support of their case. However, in all fairness to the Respondents also, they have filed the Affidavits and set out their case. When the matters are heard for urgent relief, then much as one would expect that the record should be produced by the official Respondents, but then the state of affairs cannot be as they are when the matter is finally heard.

13. Mr. Bandiwadekar told me that at the moment what the Applicant seeks is to let him take preliminary examination. The result thereof would not by itself result in acquisition of the job itself, and therefore, as is always said, no prejudice is going to be caused to anybody if this interim relief was granted. The Respondents on their part have tried to set up a case of practical difficulties. It seems that some other candidates so similarly placed as the Applicant were also turned down, and therefore, even they may have to be placed at par with the Applicant were they



to be allowed to appear even at the preliminary examination. I have already mentioned above that there are other courses also which have been excluded from the eligibility criteria. Even they may have to be taken care of. It is quite clear that the preliminary examination is scheduled on 3rd April, 2016. It must have required elaborate arrangement to be made and in that connection, the Respondents, in the event of an interim order would have to exert that much more. I was told that more than 33000 candidates have been found eligible to appear at the preliminary examination and they may also be hit by this interim order, if made as a fall out.

14. Now, regardless of the fact that as of today, I am not going to grant any interim relief, I must make it very clear that the so called administrative difficulties by themselves can be no ground to negate interim relief, if a case therefor is made out. Whatever is required to be done to effectuate the judicial mandate will have to be done in a society governed by law and rules.

15. However, it is equally true that before any interim relief is granted, more particularly of the nature herein claimed, it must be clearly found that the right is established at least to grant interim relief. A very strong

possibility has to be found that a right will have been established at the ultimate final hearing. At this stage, I am in no position to conclude that way and I am afraid, therefore, I cannot grant any interim relief. It is no doubt true that the rights of all concerned are to be protected and safe-guarded, but ultimately, if there is tussle between a large number of candidates and fewer, then former must carry the day. I would, therefore, decline to grant any interim relief. The Original Application is adjourned to 25th April, 2016.

Sd/-

31-03-16

(R.B. Malik)
Member-J
31.03.2016

Mumbai
Date : 31.03.2016
Dictation taken by :
S.K. Wamanse.
E:\SANJAY WAMANSE\JUDGMENTS\2016\3 March, 2016\D.A.241.16.w.3.2016.doc

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 31/3/16 DB CORAM: (Hon'ble Shri A.H. Joshi, Chairman) Hon R.B. Malik (Member)(J) Shri/Smt. None for the appl. Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O. / P.O. for the Respondent/s Adj. To 4/4/16 Hfle	**O.A.96/2005** Applicant and Advocate absent. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. The postal packet with the endorsement of left is there in the record and that is dated 18.2.2016. There was no other way to proceed in the matter except to issue notice and if the Applicant has now left even his last known address, I am left with no other alternative but to adjourn this OA for dismissal to 4th April, 2016. Sd/- (R.B. Malik) Member (J) 31.03.2016 (skw)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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
DATE: 31/3/16 DB CORAM: Hon'ble ~~Shri A. H. Joshi (Chairman)~~ Hon'ble ~~Shri R. Ramanujam~~ R.B. Malik (Member) ~~A~~ J APPEARANCE: Shri M.D. Lonkar Advocate for the Applicant ~~V~~ : Ms. N.G. Gohad holding for ~~CA~~ for the Respondent/s A.J. Chougule, P.O. for Rs/s. Adj. To.....Admit..... Liberty to mentions granted 31/3	**O.A.919/2015** Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Ms. N.G. Gohad holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents 1 & 2 and Shri A.V. Bandiwadekar, the learned Advocate for Respondent No.3. Affidavit-in-rejoinder taken on record. Admit. Liberty to mention granted. Sd/- 31.3.16 (R.B. Malik) Member (J) 31.03.2016 (skw)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

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

O.A.299/2016

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

Issue notice returnable on 6.4.2016.

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 6th April, 2016.

Sd/-

(R.B. Malik)
Member (J)
31.03.2016

(skw)

DATE: 31/3/16 DLB

CORAM:

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

Hon'ble Shri R.B. Malik ~~M. Ramesh Kumar (Member)A~~

APPEARANCE:

Shri/Smt.: A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt.: N.G. Gohad

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

Adj. To 6/4/16

BE

[PTO

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

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versus

The State of Maharashtra and others

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 31/3/16 CORAM: Hon'ble ~~Shri A. H. Joshi (Chairman)~~ Hon'ble Shri R.B. Malik (Member) A APPEARANCE: Shri/Smt. ..Hime for appl..... Advocate for the Applicant ~~Shri~~/Smt. : ..N.G. Gohad..... C.P.O / P.O. for the Respondent/s Adj. To..26/4/16..... gte	**O.A.815/2016** The Applicant and his Advocate absent. Heard Ms. N.G. Gohad, learned Presenting Officer for the Respondents. See the order of 16.3.2016. On that day also, none appeared for the Applicant. Affidavit-in-rejoinder is not filed. The OA is formally admitted and in view of the absence of the Applicant, a fix date is given for the matter to be listed before an appropriate Bench either for hearing or dismissal. S.O. to 26th April, 2016. Sd/- (R.B. Malik) 31-3-16 Member (J) 31.03.2016 (skw)

[PTO

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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(Presenting Officer.....)

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

DATE: 31/3/16

CORAM:

Hon (Chairman)

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

Punam Mahajan

H.G.Gohad holding for

K.B.Bhise, P.O. for Resps

Adj. To 12/4/16

O.A.296/2016

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. N.G. Gohad holding for Shri K.B. Bhise, learned Presenting Officer for the Respondents.

The learned P.O. seeks eight weeks time to file Affidavit-in-reply. I have perused the OA and I find that there is no question of granting such a long date for reply. While directing issuance of notice, I make it clear that the OA itself may be disposed of on the next date and the Respondents will do well to bear this in mind. The learned P.O. do waive service.

S.O. to 12th April, 2016.

Sd/-

(R.B. Malik) 31.3.16
Member (J)
31.03.2016

(skw)

[PTO

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

DATE : 31/3/16

CORAM :

Hon'ble ~~Shri U. Joshi (Chairman)~~

Hon'ble Shri R.B. Malik (Member) A

APPEARANCE :

Shri/Smt. M.R. Patil

Advocate for the Applicant

Shri/Smt. N.G. Gohad holding for

CPO/PO for the Respondents

Shri N.K. Rajpurohit, P.O. for Resps

Adj. To..... Admit. Liberty to mention granted

O.A.933/2015

Heard Shri M.R. Patil, learned Advocate for the Applicant, Ms. N.G. Gohad holding for Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

Affidavit-in-rejoinder taken on record. Admit. Liberty to mention granted.

Sd/-

31.3.16

(R.B. Malik)
Member (J)
31.03.2016

(skw)

P.T.O.