

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

**O.A.439/2017**

**Mrs. V.R. Shrisundar ... Applicant**

**Vs.**

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

Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

The learned PO is being instructed by Mr. A.P. Varankar, Sr. Clerk, DGP Office.

The Applicant is API and is under transfer, which order of transfer is under challenge. It is an admitted position that she has not completed her tenure at the place which she has been transferred from. The impugned order suggests as if the transfer was made at Applicant's request which position is being seriously disputed on her behalf by her learned Advocate. The matter was kept back till this afternoon session for the Respondents to submit the record which the learned PO is unable to do on account of the fact that the concerned personnel is not in a position to be contacted with. Although the learned PO invited reference to the fact that the performance of the Applicant was found unsatisfactory, but apart from all other aspects of the matter, the PEB was made known of the Applicant's alleged request for transfer and not the other aspects of the matter. No doubt, the Respondents will have to be given a further opportunity to produce the record, but then, the Applicant cannot be left unprotected. Till the date next to the filing of the reply, the order herein impugned in so far as it relates to the Applicant is stayed and the Respondents are directed to let her function at the place she had been transferred from, as she has been doing during her posting there.

Issue notice made returnable on 20.06.2017.

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)

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

Tribunal's orders

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 20<sup>th</sup> June, 2017. Hamdast.

DATE: 31/5/17

CORAM:

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

Hon'ble. Shri R. B. MALIK (Member) ✓

APPEARANCE:

~~Shri. P. Anam Malgani~~ (skw)

Advocate for the Applicant

Shri / Shri. Ms. S. Sanyawasi

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

Adj. To S.O. to 20/6/17.

Hamdast.

*[Handwritten signature]*

*[Handwritten signature]*  
(R.B. Malik) 31-5-17  
Member (J)  
31.05.2017

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u>  <del>Hon'ble Shri. RAJIV AGARWAL</del>            (Vice-Chairman)            Hon'ble Shri R. B. MALIK (Member) J</p> <p><u>APPEARANCE:</u>            Shri/Smt. : <u>Punam Mahajan</u>            Advocate for the Applicant            Shri/Smt. : <u>N.K. Rajpurohit</u>            C.P.O./P.O. for the Respondents</p> <p><u>Adj. To:</u> <u>S.O. to 13/6/17.</u></p>	<p><u>O.A.441/2017</u></p> <p><b>Mr. R.C. Nirmal</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>The learned PO is being instructed by Mr. R.B. Pawar, Senior Clerk, DG Office, Desk-11.</p> <p>The learned CPO is directed to seek instructions in the matter of allowing the Applicant to join at Gadchiroli after rescinding the order of suspension. The only ground for suspension was his failure to join at Gadchiroli. It seems that the OA itself can be worked out on the next date.</p> <p>Issue notice made returnable on 13.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 13<sup>th</sup> June, 2017.</p> <p>Sd/-            (R.B. Malik) 31.5.17            Member (J)            31.05.2017</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><b>DATE:</b> 31/5/17</p> <p><b>CORAM:</b>  <del>Hon'ble Shri RAJIV AGARWAL</del>  (Vice Chairman)  Hon'ble Shri R. B. MALIK (Member)</p> <p><b>APPEARANCE:</b>  Shri/Smt. Punam Mahajan  Advocate for the Applicant  Shri/Smt. N.K. Rajpurohit  C.P.O./P.O. for the Respondents</p> <p>Adj. To S.O. to 13/6/17.</p>	<p><b><u>O.A.442/2017</u></b></p> <p><b>Mr. R.C. Nirmal</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>Issue notice made returnable on 13.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 13<sup>th</sup> June, 2017.</p> <p style="text-align: right;">Sd/-  (R.B. Malik)  Member (J)  31.05.2017</p> <p style="text-align: right;">17</p> <p>(skw)</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><u>DATE: 31/5/17</u></p> <p><u>CORAM:</u></p> <p><del>Hon'ble Shri. RAJIV AGARWAL</del> (Vice Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) J</p> <p><u>APPEARANCE:</u></p> <p>Shri/Shri. <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Shri. <u>A.B. Kololgi</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To. <u>S.O. to 27/6/17</u></p>	<p><u>O.A.443/2017</u></p> <p><b>Mr. D.S. Patil</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.</p> <p>Reserving the right of the Applicant to seek interim relief on the next date or any date subsequent thereto, issue notice made returnable on 27.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 27<sup>th</sup> June, 2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 31.05.2017</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><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u>  <del>Hon'ble Shri. RAJIV AGARWAL</del>  (Vice-Chairman)  Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u>  Shri/Smt. <u>B.A. Bandiwadkar</u>  Advocate for the Applicant  Shri/Smt. <u>N.K. Rajpurohit</u>  C.P.O./RO for the Respondents</p> <p>Adj. To <u>M.A. is allowed.</u></p>	<p><u>M.A.213/2017 in O.A.437/2017</u></p> <p><b>Mr. Y.S. Karande &amp; Ors. ... Applicants</b>  <b>Vs.</b>  <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Mr. B.A. Bandiwadkar, the learned Advocate for the Applicants and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>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.</p> <p style="text-align: right;">Sd/-  (R.B. Malik)  Member (J)  31.05.2017</p> <p style="text-align: right;">5.17</p> <p>(skw)</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><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) J</p> <p><u>APPEARANCE:</u> Shri/Smt. B.A. Bandiwadkar Advocate for the Applicant Shri/Smt. N.K. Rajpurohit C.P.O./P.O. for the Respondents</p> <p>Adj. To: S.O. to 21/6/17.</p> <p><i>[Signature]</i></p>	<p><u>O.A.437/2017</u></p> <p><b>Mr. Y.S. Karande &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Mr. B.A. Bandiwadkar, the learned Advocate for the Applicants and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>My attention is invited to my own Judgment dated 12.4.2017 in OA 738/2016 (Pankaj B. Wagh and Ors. Vs. Secretary, Skill Development &amp; Entrepreneurship Department) by the learned Advocate Mr. Bandiwadkar. As of today, reserving the rights of the Applicant to seek interim relief on the next date, issue notice made returnable on 21.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 21<sup>st</sup> June, 2017.</p> <p>Sd/- <i>[Signature]</i></p> <p>(R.B. Malik) Member (J) 31.05.2017</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><b>DATE:</b> <u>31/5/17</u></p> <p><b>CORAM:</b>  <del>Hon'ble Shri. RAHV AGARWAL</del>  <del>(Vice-Chairman)</del>  Hon'ble Shri R. B. MALIK (Member) J</p> <p><b>APPEARANCE:</b>  Shri/Smt. <u>R.M. Kolge</u>  Advocate for the Applicant  Shri/Smt. <u>A.B. Kolgi</u>  C.P.O./P.O. for the Respondents</p> <p><u>S.O. to 21/6/17</u>  Adj. To: _____</p>	<p><b><u>O.A.436/2017</u></b></p> <p><b>Mr. S.S. Mane</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. R.M. Kolge, the learned Advocate for the Applicant and Mrs. A.B. Kolgi, the learned Presenting Officer for the Respondents.</p> <p>As of today, no interim orders are being made because the time at the disposal of the concerned Respondent No.3 must have been too short because the intimation was sent to him yesterday only. It is, however, made it clear that the OA had already been filed. Whatever ultimately happens shall be subject to the outcome of this OA. Liberty is reserved for the Applicant to seek interim relief on the next date.</p> <p>Issue notice made returnable on 21.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 21<sup>st</sup> June, 2017.</p> <p>Sd/-  <u>(R.B. Malik)</u> 31.5.17  Member (J)  31.05.2017</p> <p>(skw)</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u>  <del>Hon'ble Shri. RAJIV AGARWAL</del>  (Vice Chairman)  Hon'ble Shri R. B. MALIK (Member) J</p> <p><u>APPEARANCE:</u>  Shri/Smt. C.T. Chandratre  Advocate for the Applicant  Shri/Smt. N.K. Rajpurohit  C.P.O./P.O. for the Respondents</p> <p><u>Adj. To:</u> S.O. to 21/6/17.</p>	<p style="text-align: center;"><b><u>O.A.431/2017</u></b></p> <p><b>Mr. Y.R. Konnur</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. C.T. Chandratre, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>The Applicant is set to retire on 31<sup>st</sup> July, 2017 and is now under threat of an order of recovery. Mr. Chandratre, the learned Advocate for the Applicant points out that, in the meanwhile, he has cleared the examinations also and he also invites reference to the Judgment of this Tribunal presided over by the Hon'ble Vice-Chairman in OA 840/2016 (Shri Subhash Kanojiya Vs. State of Maharashtra and one another OA, dated 31.1.2017). The learned Advocate claims parity with them in every dispatch. That being the state of affairs, I direct that the Respondents must file their Affidavit-in-reply on the next date and the OA is expedited for final hearing and shall be heard finally on the next date.</p> <p>Issue notice made returnable on 21.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 21<sup>st</sup> June, 2017.</p> <p style="text-align: right;">Sd/-  (R.B. Malik)  Member (J)  31.05.2017</p> <p style="text-align: right;">17</p> <p>(skw)</p>

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

Tribunal's orders

**O.A.432 to 435/2017**

**Dr. H.R. Gaikwad & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Mr. C.T. Chandratre, the learned Advocate for the Applicants and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer with Ms. S. Suryawanshi and Mrs. A.B. Kololgi, the learned Presenting Officers for the Respondents.

The Applicants are Medical Officers Group-A. They call into question the orders of transfer. However, for the present under protest, they have joined their duties at the place they have been transferred to. They have since made representations like the representation at Exh. 'A-10' (Page 56 of the Paper Book (PB), dated 20/22.5.2017 in OA 432/2017). At this stage, it may not be proper to make any detailed comments. However, it needs to be mentioned that, it is not as if the entire OAs are liable to be pushed over. I direct in the meanwhile that the Respondents shall take an appropriate decision on the representations above referred to within a period of four weeks from today and communicate its outcome thereof to the Applicants within one week thereafter. In case the Applicants remained aggrieved by the decision of the Respondents, the OA shall be placed for Affidavits-in-reply two weeks thereafter.

Issue notice made returnable on 19.07.2017.

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 19<sup>th</sup> July, 2017. Hamdast.

Sd/-

(R.B. Malik) 31.05.17  
Member (J)  
31.05.2017

DATE: 31/5/17

CORAM:

~~Member Shri. RAHVAGARWAL~~  
(Vice-Chairman)

Member Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

with S. Suryawanshi and

A.B. Kololgi P.O.

Adj. To

S.O. to 19/7/17

Hamdast.

**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><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. Applicant in person.</p> <p>Advocate for the Applicant Shri/Smt. S. Suryawanshi</p> <p>C.P.O./P.O. for the Respondents</p> <p>Adj. To S.O. to 1/6/17.</p>	<p><u>O.A.448/2017</u></p> <p><b>Mr. K.A. Shinde ... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; ors. ... Respondents</b></p> <p>Heard Applicant in person and Ms. S.S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>Regard being had to the urgency expressed, issue notice made returnable on 01.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 01<sup>st</sup> June, 2017.</p> <p>Sd/- (R.B. Malik) Member (J) 31.05.2017</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><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAHV AGARWAL (Vice Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>Punam Mahajan</u> Advocate for the Applicant Shri/Smt. <u>A.B. Kololgi</u> C.P.O./T.O. for the Respondents</p> <p>Adj. To. <u>S.O. to 13/6/17.</u></p>	<p><u>O.A.440/2017</u></p> <p><b>Mr. V.T. Jadhav</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.</p> <p>Issue notice made returnable on 13.06.2017;</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 13<sup>th</sup> June, 2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 31.05.2017</p>

(skw)

17

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

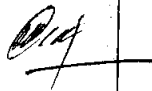
IN

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;"><b><u>O.A.438/2017</u></b></p> <p><b>Mr. K.D. Ebhate</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>The order of transfer of the Applicant who is a Group 'C' employee from Pune to Jalna which is a mid-tenure transfer is being questioned herein. In as much as the OA is still in its infancy, it may not be proper for me to make any detailed comments. However, it does appear quite clearly that the Respondents will have to strive <del>hardly</del> to establish their case on the touch-stone of Section 4(5) read with Section 6 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Transfer Act). As of today, therefore, the Applicant cannot be left unprotected. It is made clear that in as much as the Applicant has made a representation on 16.5.2017, the Respondents shall be free to take an appropriate decision thereon even as this OA is pending and the appropriate decision could even be conveyed to the Applicant even pending this OA. The impugned order in so far as it relates to the Applicant is stayed till the date next to the filing of the reply and the Applicant shall be allowed to continue to function at the place he had been transferred from till the currency of this order.</p> <p style="text-align: center;">Issue notice made returnable on 20.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 31/5/17</p> <p><u>CORAM:</u>  <del>Hon'ble Shri. RAJIV AGARWAL</del>  (Vice - Chairman)  Hon'ble Shri R. B. MALIK (Member) ↓</p> <p><u>APPEARANCE:</u>  Shri/Smt. <u>Pincem Mahajan</u>  Advocate for the Applicant  Shri/Smt. <u>N.R. Rajprasad</u>  C.P.O./P.O. for the Respondents</p> <p><u>Adj. To:</u> S.O. to 20/6/17.  Hamdast. </p>	<p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 20<sup>th</sup> June, 2017. Hamdast.</p> <p>Sd/-  (R.B. Malik) 31-5-17  Member (J)  31.05.2017</p> <p>(skw)</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;"><b><u>O.A.445/2017</u></b></p> <p><b>Mr. S.P. Rana</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Dr. G. Sadavarte, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>The Applicant is a Lecturer in Respondent No.3 - Director, Veermata Jijabai Technological Institute. She came to be appointed on ad-hoc basis for a period of 11 months by an order dated 2.6.2016 w.e.f.1.7.2016. I am told that, that was the last order which is valid till today. Interim relief is sought in the form of maintenance of status quo. There is apparently dispute which is being raised by the Respondents with regard to the jurisdiction. The facts are such that, as of today, I do not think, any interim relief can be granted. But even then, a few points must be noted quite clearly.</p> <p>In the first place, on the date appointed for filing of the reply, the Affidavi-in-reply must be filed clearly spelling out the nature of the dispute about the jurisdiction. Secondly, even if the order above referred to, expires today but the Tribunal just like any other judicial forum is sufficiently empowered to make orders of mandatory nature even at interlocutory stage, and therefore, nothing would turn on any technicality in that respect. All other aspects of the matter are left open.</p> <p>Issue notice made returnable on 14.06.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.</p> <p>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry</p>

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

within four weeks. Applicant is directed to file Affidavit of  
compliance and notice. Tribunal's orders

S.O. to 14<sup>th</sup> June, 2017. Hamdast.

The title is allowed to be corrected during the  
course of the day. *JK*

DATE: 31/5/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. Dr. G. Sadawarte

Advocate for the Applicant

Shri/Smt. N.K. Rajpurwalla

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

Adj. To: S.O. to 14/6/17.

*JK*

Sd/-

(R.B. Malik)  
Member (J)  
31.05.2017