ORIGINAL APPLICATION NO. 194 OF 2016 (Shri Ramesh M. Jakatdar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

At the request of learned Presenting Officer,
 S.O. to 14th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 565 OF 2016 (Shri Ashok R. Kotwal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer, S.O. to 14th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 923 OF 2016 (Shri Ashok R. Kotwal V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Vivek G. Pingle, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

At the request of learned Presenting Officer,
 S.O. to 14th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 125 OF 2017 (Shri Sd. Amjad Sd. Hamja V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O. to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 879 OF 2016 (Shri Sd. Amjad Sd. Hamja V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 737 OF 2016 (Shri Latif P. Pathan V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri A.D. Gadekar, learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for respondent Nos. 1 & 2 and Shri Amit S. Dhongde, learned Advocate holding for Shri Suresh D. Dhongde, learned Advocate for respondent No. 3.

- 2. It appears from the proceedings that the respondent No. 1 has already been filed affidavit in reply on record. Learned Presenting Officer prays for time for filing affidavit in reply on behalf of rest of the respondents. Time granted.
- 3. S.O. to 2nd January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 576 OF 2017 (Shri Ulhas N. Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Amit S. Dhongde, learned Advocate holding for Mrs. Suchita A. Dhongde, learned Advocate for the applicant and Shri N.U. Yadav, learned Presenting Officer for the respondents.

2. At the request of both the sides, S.O. to 18th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 237 OF 2017 (Shri Mukund S. Kachare V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Prafulla D. Bodade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. It appears from the proceedings that affidavit in reply on behalf of respondent No. 2 has already been filed on record. Today, the learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1, 3 to 6 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
- 3. At the request of learned Advocate for the applicant, S.O. to 9th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 238 OF 2017 (Shri Pramod D. Sangave V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Prafulla D. Bodade, learned Advocate for the applicant and Mrs. Priya R. Bharaswadkar, learned Presenting Officer for the respondents.

- 2. The learned Presenting Officer has filed affidavit in reply on behalf of respondent Nos. 1 to 5 and the same is taken on record and the copy thereof has been served on the learned Advocate for the applicant.
- 3. At the request of learned Advocate for the applicant, S.O. to 9th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 741 OF 2017 (Smt. Anita G. Rathod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri R.B. Narwade Patil, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O.to 10th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 767 OF 2017 (Shri Pandharinath R. Patil & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Amol Patale, learned Advocate holding for Shri Suresh P. Salgar, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O.to 10th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 635 OF 2017 (Shri Sakharam B. Rakh V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Vivek Pingle, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O.to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 501 OF 2017 (Shri Dhudku B. Mahale V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Prafulla Bodade, learned Advocate holding for Shri J.B. Choudhary, learned Advocate for the applicant, Smt. Sanjivani Deshmukh-Ghate, learned Presenting Officer for the respondent Nos. 1 to 3 and Shri V.S. Choudhary, leanned Advocate for respondent No. 4.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O.to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 629 OF 2017 (Shri Vijay N. Lokhande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Prafulla Bodade, learned Advocate holding for ShriJ.B. Choudhary, learned Advocate for the applicant and Mrs. Deepali S. Deshpande, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O. to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 355 OF 2017 (Shri Rajendra T. Dawange V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Kakasaheb B. Jadhav, learned Advocate for the applicant and Shri D.R. Patil, learned Presenting Officer for the respondents.

- 2. Learned Advocate for the applicant prays for time. Time granted.
- 3. S.O.to 18th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 944 OF 2016 (Shri Sunil V. Jagtap V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Chandrant Patil, learned Advocate holding for Shri P.B. Patil, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. Learned advocate for the applicant has placed on record copies of judgments delivered by the Hon'ble Bombay High Court and the same are taken on record. Learned Presenting Officer prays for time for filing affidavit in reply. Time granted.
- 3. S.O.to 10th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 502 OF 2017 (Public Prosecutors' Association V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Avinash Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer has filed a copy of communication received to him from the Director, Directorate of Prosecution, Maharashtra State, Mumbai, along with short reply to the O.A. and the same is taken on record and marked as document 'X' for identification purposes. He has submitted that to file detailed reply a para-wise affidavit in reply of the respondents is needed and, therefore, he sought time to file affidavit in reply on behalf of respondent Nos. 1 to 3.
- 3. In view of the above circumstances, most last chance is granted.
- 4. S.O. to 14th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 141 OF 2017 (Smt. Vijaya R. Jetty V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri A.C. Deshpande, learned Advocate for the applicant and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

2. At the request of learned Advocate for the applicant, S.O. to 8th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 505 OF 2017 (Shri Vijaykumar R. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for the respondents.

2. On the face of the record, it reveals that the mask transfers i.e. general transfers have been made by the impugned order on 17th July, 2017 and the applicant has been transferred to Solapur from Osmanabad, though he had not given option for Solapur. The record shows that the proposals for general transfers have been prepared by the Government in the month of May, 2017, but it has been approved by the Hon'ble Chief Minister on 15th July, 2017. The Civil Services Board (for short "the Board") had recommended the transfer of the applicant at Jalna, but said recommendation has not been accepted by the Hon'ble Education Minister and he made certain changes in the recommendation, but no reasons have been recorded for making changes in the recommendation of the Board. The respondents have come with the case that the transfer of the applicant has been made under Section 4 (4) (ii) of the Maharashtra

:: - 2 - :: O.A. NO. 505 OF 2017

Government Servants Regulation of Transfers And Prevention of Delay In Discharge of Official Duties Act, 2005, but no administrative or special reasons or special circumstances have been mentioned while making transfer of the applicant. It seems that it is a midterm transfer.

- 3. In the circumstances, it is just to direct the respondents to reconsider the decision of transfer of the applicant at Solapur. If they reconsider it then take corrective measures accordingly.
- 4. Learned Presenting Officer prays for two weeks time to take necessary instructions from the concerned respondent authorities. Time granted as prayed for.
- 5. S.O.to 14th December, 2017. The interim relief granted earlier to continue till then.

MEMBER (J)

M.A.ST.1572/2017 IN O.A.NO. 943/2016 (Shri Uttam L. Bahirwad & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Girish N. Kulkarni, learned Advocate for the applicants and Smt. Resha S. Deshmukh, learned Presenting Officer for the respondents.

- 2. Learned Advocate for the applicant prays for time to file application for setting aside the abatement order and bringing on LRs of deceased employee on record. Time granted.
- 3. S.O. to 11th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 398 OF 2017 (Shri Devendra D. Joshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Shri P.D. Bachate, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

- 2. Upon hearing both sides, it appears that arguable case has been made out. **Admit**.
- 3. S.O. to 15th December, 2017. The interim relief granted earlier to continue till then.

MEMBER (J)

ORIGINAL APPLICATION NO. 676 OF 2017 (Shri Rahul B. Suryawanshi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant, Shri M.S. Mahajan, learned Chief Presenting Officer for the respondent Nos. 1 & 2 and Shri G.R. Jadhav, learned Advocate holding for Shri Y.V. Kakade, learned Advocate for respondent No. 3.

2. At the request of both the sides, S.O. to 6th December, 2017.

MEMBER (J)

M.A.NO. 281/2017 IN O.A.ST.131/2017 (Shri Shaikh Khudbuddin V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri G.R. Jadhav, learned Advocate holding for Shri A.S. Shelke, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondent Nos. 1, 2 & 4. Shri Shamsundar B. Patil, learned Advocate for respondent No. 3 (absent).

2. At the request of learned Advocate for the applicant, S.O. to 20th December, 2017.

MEMBER (J)

ORIGINAL APPLICATION NO. 416 OF 2016 (Shri Ramhari G. Gosavi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri S.K. Shirse, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer prays for time to produce the relevant record as regards date of birth of the applicant along with short affidavit of the concerned officer. Time granted.
- 3. S.O. to 12th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 534 OF 2016 (Shri Lahu B. Pawar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri M.B. Kolpe, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for the respondents.

- 2. Learned Presenting Officer submits that he will file additional affidavit in reply on behalf of the respondents during the course of the day. He prays for time to produce the relevant record as regards date of birth of the applicant along with short affidavit of the concerned officer. Time granted.
- 3. S.O. to 12th January, 2018.

MEMBER (J)

ORIGINAL APPLICATION NO. 466 OF 2017 (Shri Shamsundarao Pande V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Avinash S. Deshmukh, learned Advocate holding for Shri A.N. Walujkar, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for the respondents.

2. At the request of learned Presenting Officer for the respondents, S.O. to 19th December, 2017, to enable him to produce relevant documents on record.

MEMBER (J)

ORIGINAL APPLICATION NO. 814 OF 2017 (Dr. Tarannum G. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Avinash S. Deshmukh, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

- 2. On instructions of the applicant, the learned Advocate for the applicant submits that the applicant does not want to proceed with the present Original Application and, therefore, he seeks leave of this Tribunal to withdraw the same.
- 3. In view of the submissions made on behalf of the applicant, the permission to withdraw the present Original Application is granted.
- 4. Accordingly, the present Original Application stands disposed of as withdrawn with no order as to costs.

MEMBER (J)

ORIGINAL APPLICATION NO. 840 OF 2017 (Shri Shivaji R. Wayal V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: B. P. PATIL, MEMBER (J)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Raghavendra N. Bharaswadkar, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the respondents.

- 2. Issue notices to the respondents, returnable on 5th January, 2018.
- 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 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

:: - 2 - :: O.A. NO. 840 OF 2017

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. The respondents shall file affidavit in reply on or before the next date.
- 8. S.O. to 5th January, 2018.
- 9. Steno copy and hamdust is allowed to both the parties.

MEMBER (J)

C.P.No.03/2016 IN O.A.No.239/2015 (Dr. Sonali Sayamber V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench

due to non-availability of Division Bench)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri V.B.Wagh learned Advocate for the applicant and Shri M.S.Mahajan learned Chief Presenting Officer for respondents.

- 2. Learned Advocate for the applicant prays for leave to amend the C.P. He states that leave to amend is necessary to replace the names of the Contemnors.
- 3. Learned Advocate was called to state as to whether officers who have recently joined on the post, shown to be contemnors, were given notice. Learned Advocate states that so far notice is not served on the Contemnors.
- 4. Applicant is free to serve notice on the Contemnors and he shall serve notice and file service report on the next date.
- 5. S.O.09-01-2018.

CHAIRMAN

C.P.No.01/2017 IN O.A.No.487/2014 (Dr. Sunil Kulkarni V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

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CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench

due to non-availability of Division Bench)

DATE : 27.11.2017.

ORAL ORDER:

Heard Smt. Vidya Taksal learned Advocate holding for Shri A.S.Deshmukh learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

- 2. Learned P.O. states that two weeks' time may be granted. On the next date, efforts so far taken will be reported and efforts will also be made to ensure that the order is complied with in all respects.
- 3. S.O. to 20-12-2017 for compliance.

CHAIRMAN

C.P.No.06/2017 IN O.A.No.536/2011 (Shri Digambar Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench due to non-availability of Division Bench)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri D.K.Borkar learned Advocate holding for Shri P.D.Suryavanshi learned Advocate for the applicant and Shri M.P.Gude learned Presenting Officer for respondents.

2. By consent of both sides, S.O. to 20-12-2017.

CHAIRMAN

M.A.No.317/2016 IN C.P.St.No.1491/2016 IN O.A.No.554/2013 (Dr. Ashok V. Biradar V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench due to non-availability of Division Bench)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri J.S.Deshmukh learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 20-12-2017.

CHAIRMAN

M.A.No.358/2017 IN C.P.St.No.1261/2017 IN O.A.No.801/2015 (Smt. Yasmin Hashmi V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench due to non-availability of Division Bench)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri V.G.Pingle learned Advocate for the applicant and Shri D.R.Patil learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 20-12-2017.

CHAIRMAN

M.A.No.140/2017 IN C.P.St.No.472/2017 IN O.A.No.63/2015 (Saylu Nawod V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench due to non-availability of Division Bench)

DATE: 27.11.2017.

ORAL ORDER:

Heard Smt. Juee Palekar-Parlikar learned Advocate holding for Shri S.D.Joshi learned Advocate for the applicant and Shri N.U.Yadav learned Presenting Officer for respondents.

2. At the request of learned P.O., S.O. to 20-12-2017.

CHAIRMAN

O.A.No.380/2017 WITH O.A.No.792/2015 (Dr. Prasad Kulkarni & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE A.H.JOSHI, CHAIRMAN

(This case is placed before Single Bench due to non-availability of Division Bench)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri Vishnu Dhoble learned Advocate for the applicant and Shri S.K.Shirse learned Presenting Officer for respondents.

- 2. Admit.
- 3. Limited relief prayed in present O.A. by the applicants is for implementation/enforcement of G.R. dated 22-10-2016 (paper book page 34).
- 4. Secretary, Medical Education and Drugs
 Department, Mantralaya, Mumbai respondent no.1
 is directed to file his **own** affidavit on following points:
 - (a) Whether the policy declared through G.R. dated 22-10-2016 is to be implemented as regards applicants.
 - (b) Whether any steps are required for implementation of G.R. dated 22-10-2016 as regard applicants.
 - (c) What steps are taken so far for said implementation of G.R. dated 22-10-2016.

=2= O.A.No.380/2017 WITH O.A.No.792/2015

- (d) What is the estimated time span for total implementation of G.R. dated 22-10-2016.
- 5. Affidavit be filed on or before 20-12-2017.
- 6. Steno copy and hamdust is allowed to both the parties on their request.
- 7. Matter to come up on board on 20-12-2017.

CHAIRMAN

YUK ORAL ORDER 27-11-2017 AHJ F

ORIGINAL APPLICATION NO. 108/2017 (Kishor P. Shinde V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri B.R. Kedar, learned Advocate holding for Shri R.B. Bhosle, learned Advocate for the applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for respondents.

- 2. Upon hearing both the sides, it appears that arguable case is made out. Hence, the present O.A. is hereby admitted.
- 3. Place the matter before the Division Bench for final hearing, whenever it is available.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 471/2015 (Vishal B. Patil V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri S.P. Dhoble, learned Advocate holding for Shri N.L. Choudhary, learned Advocate for the applicant and Shri I.S. Thorat, learned Presenting Officer for respondents.

- 2. The learned Advocate for the applicant submits that he has no instructions from the applicant.
- 3. As the matter is already admitted, it be placed before the Division Bench for final hearing, whenever it is available.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 839/2017 (Dr. Sayaji V. Bhamre V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri J.S. Deshmukh, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

- 2. The learned P.O. submits that, though the present applicant is challenging the qualification of res. no. 5 for calling him for interview for the post of Associate Professor, in fact, the present applicant has filed the applicant from Open category, while the res. no. 5 is from O.B.C. category. Therefore, the applicant shall have no locus standi to challenge the call letter issued to res. no. 5 for interview.
- 3. In the circumstances, the learned Advocate for the applicant seeks time to take instructions from the applicant. At his request, S.O. to 28.11.2017.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 826/2017 (Ashok U. Jadhav V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri P.G. Gunale, learned Advocate for the applicant and Shri M.P. Gude, learned Presenting Officer for respondents.

- 2. Issue notices to the respondents in the present O.A., returnable on 21.12.2017.
- 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 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 question such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery, speed post, courier and acknowledgment be obtained and produced along with affidavit of compliance in the Registry before due date. Applicant is directed to file affidavit of compliance and notice.
- 7. S.O. to 21.12.2017.
- 8. Steno copy & hamdast allowed to both the sides.

MA 396/2017 IN CP ST. 1434/2017 IN OA 522/2014 (Bhima V. Kapse & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE: 27.11.2017.

ORAL ORDER:

Heard Shri P.H. Sukale, learned Advocate holding for Shri L.H. Kawale, learned Advocate for the applicants and Shri M.P. Gude, learned Presenting Officer for respondents.

- 2. On 2.11.2017, the learned P.O. Shri N.U. Yadav made a statement that, in fact the benefit of Notification is already granted to the applicant. Therefore, Shri Sukale, learned Advocate holding for Shri Kawale, learned Advocate for the applicants had sought adjournment for taking instructions from his clients.
- 3. Today also Shri Sukale, learned Advocate seeks time to take instructions from the applicants in that regard. In the circumstances, as a last chance S.O. to 5.12.2017 for taking instructions from the applicants on the line of order dtd. 2.11.2017.

ORIGINAL APPLICATION NO. 443/2017 (Dr. Uttam B. Jadhav V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri Shamsunder B. Paril, learned Advocate for the applicant and Smt. Priya R. Bharaswadkar, learned Presenting Officer for respondents.

- 2. Upon hearing both the sides, it appears that in spite of a detailed reasoned order passed by the Division Bench of this Tribunal dtd. 3.8.2017 no heed is paid by the concerned respondents, though from time to time, time is granted therefor. The learned P.O. seeks time for either to take corrective steps in the matter or to give reasons in the light of the decision of the Division Bench in O.A. no. 635/2013 dtd. 13.12.2016.
- 3. In the circumstances, as a last chance S.O. to 4.12.2017 for compliance of the earlier order of the Division Bench dtd. 3.8.2017 failing which the Tribunal would be constrained to take coercive action against the concerned respondents regarding imposing of heavy costs

<u>::-2-::</u> O.A. NO. 443/2017

on them and / or calling the responsible Officer before the Tribunal.

4. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

MA 358/2014 IN OA ST. 1184/2014 (Dr. Gangadhar D. Chate V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

None appears for the applicant. Shri I.S. Thorat, learned Presenting Officer for respondents, is present.

- 2. The learned P.O. submits that on the line of earlier order dated 3.10.2017 certain compliances are yet to be made. He seeks time to take instructions from the concerned respondents in that regard. At his request as a last chance S.O. to 20.12.2017 for taking instructions.
- 3. Steno copy allowed for the use of learned P.O.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 291/2014 (Rajendra S. More V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

Heard Shri P.B. Patil, learned Advocate for the applicant and Smt. Deepali S. Deshpande, learned Presenting Officer for respondents.

- 2. The learned P.O. files on record the copy of the internal communication from the concerned respondent dtd. 26.7.2017 to the Director i.e. the res. no. 2, which would show that the decision is now required to be taken by the res. no. 2. The said communication is taken on record and marked as document 'X' collectively for the purpose of identification.
- 3. The learned Advocate for the applicant submits that the O.A. can be disposed of with a direction to the res. no. 2 to decide the said proposal within a definite period.

::-2-:: O.A. NO. 291/2014

4. In the circumstances, the present O.A. stands disposed of without any order as to costs with a direction to res. no. 2 decide the proposal dtd. 26.7.2017 by the concerned respondent, copy of which is at document 'X' collectively and to give monetary benefits arising therefrom to the applicant, within a period of 3 months.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 272/2017 (Dr. Vaishali P. Deshpande V/s. State of Maharashtra & Ors.)

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OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE: 27.11.2017.

ORAL ORDER:

Heard Smt. Juee Palekar – Parlikar, learned Advocate holding for Shri S.D. Joshi, learned Advocate for the applicant and Shri V.R. Bhumkar, learned Presenting Officer for respondents.

2. The learned Advocate seeks time to file affidavit in rejoinder of the applicant. At her request, S.O. to 11.12.2017.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 21/2015 (Gautam & Ors. V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

None appears for the applicants. Smt. Resha S. Deshmukh, learned Presenting Officer for respondents, is present.

- 2. It appears that as per the earlier order dtd. 30.10.2017 the Office has not issued the notice to the senior Advocate appearing for the applicant viz. A.N. Nagargoje, but the notice is issued to Advocate Shri B.R. Jaybhay who is junior Advocate of Advocate Shri A.N. Nagargoje.
- 3. In the circumstances, office is directed to issue notice to Shri A.N. Nagargoje, learned Advocate for the applicant for remaining present in the matter on 18.12.2017.

VICE CHAIRMAN

ORIGINAL APPLICATION NO. 592/2015 (Ravindra V/s. State of Maharashtra & Ors.)

OFFICE ORDER

TRIBUNAL'S ORDERS

CORAM: JUSTICE M.T. JOSHI, V.C.

(This matter is placed before the Single Bench due to non-availability

of Division Bench.)

DATE : 27.11.2017.

ORAL ORDER:

None appears for the applicant. Smt. Deepali S. Deshpande, learned Presenting Officer for respondents, is present.

- 2. In the earlier matter though Smt. Juee Palekar Parlikar, learned Advocate holds for Shri S.D. Joshi, learned Advocate for the applicant, but when this matter is called she is absent.
- 3. Hence, in view of absence of learned Advocate for the applicant, S.O. to 11.12.2017.

VICE CHAIRMAN