

# FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

01.03.2017

O.A No 1033/2016

Shri S.B Tokare & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri K.R. Jagdale, learned advocate for  
the applicant and Ms Neelima Gohad, learned  
Presenting Officer for the Respondents.

In this Original Application the Applicants are seeking  
relief in terms of G.R dated 16.10.2012. That G.R  
provides for regularization of services of Labourers  
working on daily wages who were eligible for  
regularization in terms of earlier G.R dated 31.1.1996,  
and for some reasons could not be regularized. Such  
wage labourers were required to have worked for five  
years from 1.11.1989 to 31.10.1994 for 240 days  
every year for five years. The Applicants have not  
given any details in this Original Application like the  
date of initial engagement as Labourer on daily wages,  
the number of days for which they had worked for  
each of the five years from 1.11.1989 to 31.10.1994,  
age at the time of joining first as Forest labourers or  
as on 1.11.1994, the proof of age which was produced  
and reasons for not regularizing services at that time.  
Without these essential facts being on record, this  
O.A cannot be considered. Learned Counsel for the  
Applicants is directed to bring these facts on record  
on or before the next date.

DATE: 11/3/17

CORAM:

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

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

APPEARANCE:

Shri K.R. Jagdale

Advocate for the Applicant

Shri Ms. H.G. Gohad

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

Adj. To S.O. to 29/3/17.

S.O to 29.3.2017. bh

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Akn

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI  
ORIGINAL APPLICATION NO.634 OF 2016

R.M. Lukade

.. Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Shri A.S. Deshpande, the learned Advocate for the Applicant.

Smt. Archana B.K., the learned P.O. for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman  
Shri Rajiv Agarwal, Vice-Chairman

DATE : 01.03.2017.

PER : Justice Shri A.H. Joshi, Chairman

**ORDER**

1. Heard Shri A.S. Deshpande, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.
2. We have heard this Original Application for quite some time. Prima facie, it appears to be a case of misconduct. The Applicant had remained absent without leave for long duration. Applicant claims that he had later on applied for leave and said application has remained undecided or is decided without adverting to leave available to his credit and duly certified ground of sickness.
3. First charge-sheet was served on the Applicant way back in 2004 and it has remained unattended and undecided.
4. Applicant retired on superannuation on 31.12.2013 and after retirement he has been served with the charge- sheet dated 20.09.2016 for the misconduct which is four years older, as is evident from record.



5. The charge-sheet is signed by the Commissioner of Agriculture, Maharashtra State, Central Building, Pune.
6. Smt. Archana B.K., the learned P.O. for the Respondents was called to furnish the name of the incumbent holding the post of Commissioner of Agriculture, who has signed the charge-sheet
7. Smt. Archana B.K., the learned P.O. for the Respondents points out that from the record it is seen that the name of the incumbent holding the post of Commissioner of Agriculture is Shri Vikas Vishwasrao Deshmukh, I.A.S..
8. Shri Vikas Vishwasrao Deshmukh, Commissioner of Agriculture is directed as follows :-
  - (a) Call for the papers of the present O.A., affidavits and entire relevant record for perusal.
  - (b) Read the record himself and satisfy himself as to whether the charge-sheet dated 20.09.2016 is barred on account on account of Rule 27(2) of the Maharashtra Civil Service (Pension) Rules, 1982.
  - (c) Verify whether the Departmental Enquiry (D.E.) manual, the standing instructions of Government and various judgments permit the D.E. towards minor penalty that was initiated prior to 2004 could be continued.
  - (d) Form an opinion on the point stated in foregoing clause (b) and (c), as to whether on the facts and circumstances, does law permit him to issue the charge-sheet.
  - (e) Form an opinion as to whether he decides to stick up and / or adhere to the decision of serving of charge-sheet, dated 20.09.2016, and whether he decides to continue with enquiry in the charge-sheet issued in 2004, in the light of grounds, averments and the grounds challenge contained in the Original Application.
9. This Tribunal is prima facie of the view, that while the misconduct is grave, conniving at the misconduct is also an act of grave negligence and this aspect should be borne in mind by the Commissioner of Agriculture while he has to form opinion as indicated in foregoing paragraph.

10. If the Respondent No.2 after considering the material on record, considers it just and necessary to reconsidering decision as to applicant's leave period, if the leave is available to applicant's credit and rules permit grant thereof, he shall be free to take suitable decision, notwithstanding pendency of this O.A..
12. Pendency of this O.A. shall not and does not preclude the Commissioner of Agriculture from withdrawing the impugned orders, if he is satisfied that in the interest of justice impugned actions deserve to be withdrawn.
13. Shri Vikas Vishwasrao Deshmukh, Commissioner of Agriculture is directed to file his own affidavit on the point (e) contained in foregoing paragraph 8. Affidavit be filed on or before 21.03.2017, if he chooses and has grounds to contest present O.A..
14. Respondent No.2, the Commissioner of Agriculture, Shri Vikas Vishwasrao Deshmukh is put to notice that in case, upon examination of the O.A. on merits after hearing, this Tribunal is arrives at an opinion and is satisfied that impugned enquiries and orders cannot be sustained and in such circumstances that situation, if the charge-sheet is found unsustainable the Respondent No.2 may be held liable to be saddled with heavy costs that could be extend upto Rs.2,00,000/- and the costs will be made as the personal liability for Shri Vikas Vishwasrao Deshmukh, Commissioner of Agriculture.
15. Steno copy and Hamdast is allowed to learned P.O. for enabling learned P.O. to communicate this order to the Respondent, Shri Vikas Vishwasrao Deshmukh, Commissioner of Agriculture.
16. S.O. to 29.03.2017.

  
(Rajiv Agarwal)  
Vice-Chairman

  
(A.H. Joshi, J.)  
Chairman

prk

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI****ORIGINAL APPLICATION NO.91 OF 2017****M.D. Oman****....Applicant.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

Shri S.S. Dere, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 01.03.2017.

**ORDER**

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. It is seen that the O.A. was amended on 15.02.2017. In the midst of hearing, it has transpired that application of mind by the Commissioner of Transports is necessary. Therefore, the Respondent No.2 i.e. Commissioner of Transports is directed as follows :-
  - (a) Call for the papers of the present O.A., and entire relevant record for perusal, and read those himself.
  - (b) To take the decision whether applicant's suspension needs to be revoked and if the answer be in affirmative take affirmative action without loss of time.
  - (c) If revocation of suspension and to take affirmative decision is not possible, affidavit be filed opposing the O.A. by incorporating reasons and grounds thereto.
3. Respondents would be free to file detailed affidavit answering each paragraph and point.
4. Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents states that four weeks time be granted so as to enable Respondent No.2 to take decision or file affidavit on the foregoing points as stated in paragraph No.2.

5. In the background that Senior Officer suspension is revoked, a consequential decision even two days time shall be more than sufficient. Therefore, only one week's time is granted.
6. Reply be filed on 08.03.2017.
7. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.
8. S.O. to 08.03.2017.



Sd/-

(A.H. Joshi, J.)  
Chairman

prk

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI****O.A.No.115 of 2017 with M.A.No.80 of 2017****H.R. Jadhav (O.A.No.115/2017)****A. Dorje (M.A.No.80/2017)****....Applicants.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

Shri H.R. Jadhav, Applicant in person in O.A.No.115/2017.

Shri S. Lavte, the learned Advocate for the Applicant in M.A.No.80/2017.

Shri M.D. Lonkar, the learned Special Counsel with Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

**CORAM :** Justice Shri A.H. Joshi, Chairman

**DATE :** 01.03.2017.

**ORDER**

1. Heard Shri H.R. Jadhav, Applicant in person in O.A.No.115/2017, Shri S. Lavte, the learned Advocate for the Applicant in M.A.No.80/2017 and Shri M.D. Lonkar, the learned Special Counsel with Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.
2. Shri M.D. Lonkar, the learned Special Counsel with Ms. S. Suryawanshi, the learned Presenting Officer, for the Respondents state as follows :-

“The Government has issued corrigendum clarifying that the enquiry ordered through the Government decision dated 23.12.2016, (copy whereof is at page no.38) shall be restricted under the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013, only and the said Government Resolution (G.R.) does not purport to merge two enquiries. Copy of the corrigendum dated 28.02.2017 is issued to the applicant as well.”
3. Applicant states as follows :-
  - (a) He wants to submit an application to the Government requesting deferment / stay of the departmental enquiry in the matter of charge sheet dated 15.11.2016 (copy whereof is at annexure –E page 47 of the O.A.), till the enquiry ordered through G.R. dated 23.12.2016.
  - (b) Applicant would like to submit the application in any case before 06.03.2017.

4. Shri M.D. Lonkar, the learned Special Counsel for the Respondents the states that the application would be decided on its own merits and keeping in view the need and possibility of staying charge-sheet till completing the enquiry under Act of 2013 (supra).

5. Shri M.D. Lonkar, the learned Special Counsel for the Respondents states that the decision would for taken regarding the stay of D.E. and would be informed to the Applicant within two weeks from the date of receipt of application.

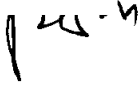
6. Steno copy and Hamdast is allowed.

7. S.O. to 31.03.2017.



Sd/-

(A.H. Joshi J.)  
Chairman



prk



**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><u>DATE:</u> 01.03.2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. B.A. Bandiwadkar Advocate for the Applicant Shri /Smt. K.B. Bhise C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... 09.03.2017</p>	<p>Date : 01.03.2017</p> <p align="center">O.A.No.1086 of 2016</p> <p>S.B. Sumbe .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents Shri K.B. Bhise states that reply for Respondent Nos.1 to 3 is ready and will be filed within one week.</p> <p>3. Adjourned to 09.03.2017.</p> <p align="right">Sd/- (A.H. Joshi, Jy) Chairman</p> <p>sba</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>01.03.2017</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE : Shri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant Shri/Smt. <u>Archana B.K.</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>20.04.2017</u></p> <p style="text-align: center;">(8)</p>	<p>Date : 01.03.2017.</p> <p style="text-align: center;">O.A.No.1060 of 2016</p> <p>S.N. Balla .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. Smt. Archana B.K., the learned Presenting Officer for the Respondents prays for four weeks for filing reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 20.04.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p>prk</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.**

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<p><u>DATE:</u> 01.03.2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt.: <u>A.V. Bandiwadkar</u> Advocate for the Applicant Shri/Smt.: <u>Archana B.K.</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>20.04.2017</u></p> <p align="center">(B)</p>	<p>Date : 01.03.2017.</p> <p align="center">O.A.No.86 of 2017</p> <p>R.W. Shende .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. Smt. Archana B.K., the learned Presenting Officer for the Respondents prays for four weeks for filing reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 20.04.2017.</p> <p align="right">Sd/- <u>(A.H. Joshi)</u> Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>01/03/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>B.A. Bandiwadekar</u> Advocate for the Applicant Shri/Smt. <u>Archana B.K.</u> C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To <u>03.03.2017</u></p> <p style="text-align: center;">(8)</p>	<p>Date : 01.03.2017</p> <p>O.A.No.984 of 2015 with O.A.No.1016 of 2015 with O.A.No.1021 of 2015</p> <p>S.A. Sarwade (O.A.No.984 of 2015) K.R. Kumbhar (O.A.No.1016 of 2015) G.B. Shinde (O.A.No.1021 of 2015) ....Applicants Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. At the request of the learned P.O. for the Respondents, adjourned to 03.03.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>sb</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 01/03/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>B.A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s <u>NO.1 AND</u> <u>Smt. Y.K. Jagdale (Adv) for</u> <u>Resptt NO.2</u> Adj. To. <u>09.03.2017</u></p> <p align="center">②</p>	<p>Date : 01.03.2017</p> <p align="center"><b>O.A.No.72 of 2017</b></p> <p>V.V. Valsan .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadkar, the learned Advocate for the Applicant, Smt. Archana B.K., the learned Presenting Officer for the Respondent No.1 and Smt. V.K. Jagdale, the learned Advocate for the Respondent No.2.</p> <p>2. Learned Advocate for the Applicant Shri B.A. Bandiwadkar states as follows:-</p> <p align="center">He wants to examine the need of substituting the memo of O.A., index and synopsis and add documents if necessary.</p> <p>3. Learned Advocate for the Applicant prays for a week's time to make up his mind and take suitable decision.</p> <p>4. Time as prayed for is granted.</p> <p>5. S.O. to 09.03.2017.</p> <p align="right">Sd/- (A.H. Joshi, J.) Chairman</p> <p>sba</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 01/3/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. V. P. Kadam Advocate for the Applicant Shri/Smt. K. B. Bhise C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To. 31.03.2017</p> <p align="center">8</p>	<p>Date : 01.03.2017</p> <p align="center">O.A.No.16 of 2017</p> <p>G.T. Mendke .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V.P. Kadam, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents prays for three weeks time for filing reply.</p> <p>3. Four weeks time is granted by way of last chance.</p> <p>4. S.O. to 31.03.2017.</p> <p align="right">Sd/- A.H. Joshi, J.J Chairman</p> <p>sb</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

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<p>DATE: <u>01/3/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>R. M. Kolge</u> Advocate for the Applicant Shri/Smt. <u>N. K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>28.04.2017</u> (8)</p>	<p>Date : 01.03.2017</p> <p>O.A.No.77 of 2017</p> <p>B.V. Kubde ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri R.M. Kolge has not filed service report.</p> <p>3. In view of the foregoing, adjourned to 28.04.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>sb</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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<p><b>DATE:</b> <u>01/03/2017</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramoshikumar (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>In Person</u> Advocate for the Applicant Shri/Smt. : <u>A. J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>Admit</u></p> <p align="center">(B)</p>	<p><b>Date : 01.03.2017</b></p> <p align="center"><b>O.A.No.953 of 2016</b></p> <p><b>S.S. Kamble</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.S. Kamble, party in person and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Party in person Shri S.S. Kamble prays for leave to amend and undertakes to carry out amendment within two weeks.</p> <p>3. Amended copy be served to the Respondents with fresh notice.</p> <p>4. Reply to the amended O.A. be filed within four weeks thereafter.</p> <p>5. Admit. To come up for hearing in due course.</p> <p align="right">Sd/- (A.H. Joshi, J.) Chairman</p> <p>sb</p>



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

Date : 01.03.2017.

O.A.No.163 of 2017

S.U. Suryawanshi , ....Applicant.

Versus

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

1. Heard Shri Ergo Juris, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 31.05.2017.

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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

7. The failure to grant interim relief would not amount that applicant would not be restored, if applicant succeeds.

8. S.O. to 31.05.2017.

Sd/-

(A.H. Joshi)   
Chairman

DATE: 01/3/2017

CORAM:

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

APPEARANCE:

Shri/Smt: Ergo Juris.....

Advocate for the Applicant

Shri/Smt: Ms. S. Suryawanshi  
C.P.O./P.O. for the Respondent/s

Adj. To: 31.05.2017.....

(8)

**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> <u>01.03.2017</u></p> <p>Chairman Member (Chairman) Member (Member) A</p> <p><b>APPEARANCE:</b> State/By: <u>A. S. Deshpande</u> Advocate for the State Shri/Smt. <u>S. Suryawanshi</u> C.P.O./P.O. for the Respondent</p> <p><b>Adj.-To:</b> <u>29.03.2017</u></p> <p style="text-align: center;">(8)</p>	<p><b>Date : 01.03.2017</b></p> <p style="text-align: center;"><b>O.A.No.691 of 2016</b></p> <p><b>S.M. Morey</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.S. Deshpande, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant prays for four weeks time for filing rejoinder.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 29.03.2017.</p> <p style="text-align: right;">Sd/- <b>(A.H. Joshi)</b> Chairman</p> <p>sba</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> 1/3/17</p> <p><b>CORAM:</b> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><b>APPEARANCE:</b> <del>Shri/Smt. Ms. S.P. Manchekar</del> Advocate for the Applicant Shri/Smt. K.B. Bhise C.P.O./P.O. for the Respondents Reply filed by R.No. 192 O.A. is disposed Adj. To ot</p>	<p align="center"><b>01.03.2017</b></p> <p align="center"><b><u>O.A No 880/2016</u></b></p> <p>Shri M.M Surve ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Ms Swati Manchekar, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.</p> <p>Learned P.O files additional affidavit in reply, which is taken on record. It is seen that the Applicant has sought that he may be allowed to continue as Assistant Engineer, Grade-II, P.W.D Medical Sub Division, Baramati, Dist-Pune, till the end of the academic year, i.e. 31.3.2017.</p> <p>On instructions from Shri Ohol Vishwas Madhukar, Sub Divisional Engineer, P.W Sub Division, Baramati, Dist-Pune, learned P.O states that Respondents have decided to allow the Applicant to remain in the present post till 31.3.2017.</p> <p>As the grievances of the Applicant no longer survives, this Original Application has worked out itself and is disposed of with no order as to costs.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</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><u>DATE:</u> 13/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. <u>K.B. Blise</u> C.P.O./P.O. for the Respondents</p> <p><u>Adj. To:</u> S.O. to 15/3/17</p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>01.03.2017</u></p> <p align="center"><u>M.A 92/2010 in O.A No 891/2016</u></p> <p>Shri M.A Babar ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 15.3.2017.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. S.O 15.3.2017.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</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> 1/3/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Smt. <u>R.M. Kolge</u> Advocate for the Applicant Shri /Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondents</p> <p><u>Adj. To:</u> O.A. is admitted S.O. to 3/3/17.</p> <p style="text-align: right;">FH @17</p>	<p><u>01.03.2017</u></p> <p><u>O.A No 1186/2016</u></p> <p>Shri R.V Salunkhe ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Shri R.M Kolge, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer for the Respondents.</p> <p>Affidavit in reply has been filed. Learned Advocate Shri Kolge states that he does not wish to file rejoinder.</p> <p>O.A is admitted. Place for final hearing on 3.3.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</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> 1/3/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Smt. Amol Joshi Advocate for the Applicant <del>Shri/Smt. Ms. Savita Suryavanshi</del> <del>C.P.O./P.O. for the Respondents</del></p> <p>Adj. To S.O to 29/3/17 with (MA 02/17)</p>	<p><u>01.03.2017</u></p> <p><u>M.A 98/2017 in O.A No 1127/2016</u></p> <p>Shri R.V Salunkhe ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri Amol Joshi, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 29.3.2017.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. S.O 29.3.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</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> 1/3/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Smt. N.D. Batule Advocate for the Applicant <del>Shri/Smt. Ms. Savita Suryavanshi</del> Akn C.P.O./P.O. for the Respondents Rejoinder Filed Applicant. Adj. to D.A. is admitted. S.O. to 16/3/17.</p> <p style="text-align: right;">FY [Signature]</p>	<p><u>01.03.2017</u></p> <p><u>O.A No 195/2016</u></p> <p>Shri P.D Bhudhanwar &amp; ors ... Applicants Vs. ... The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Shri N.D Batule, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>Learned Advocate files affidavit in rejoinder. O.A is admitted. Respondents are at liberty to file sur-rejoinder, if need be.</p> <p>Place for final hearing on 16.3.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</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> 1/3/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri R. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Stnt. <u>Ajay Deshpande</u> Advocate for the Applicant Shri/Stnt. <u>K. S. Gaikwad</u> C.P.O./P.O. for the Respondents <u>M.A. is allowed.</u></p> <p><u>Adj. To:</u> <u>O.A. Adj. to 29/3/17</u></p>	<p><u>01.03.2017</u></p> <p><u>M.A 69/2017 in O.A No 635/2016</u></p> <p>Shri S.D Jagtap ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Shri Ajay Deshpande, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>This Misc Application is filed seeking amendment to the Original Application. After the Original Application was filed, the Respondents have passed orders dated 8.2.2017 ordering that period of suspension of the Applicant will be treated as period spent on duty for the purpose of pensionary benefits. The Applicant wants to challenge this order, because he is seeking full salary and allowances during the period of suspension. He claims that he has been honourably acquitted in the criminal case on account of which he was placed under suspension.</p> <p>Though learned P.O seeks time to file reply opposing the amendment, I don't think that will serve any purpose. Even if the M.A for amendment is allowed, Respondents will get full opportunity to oppose the claim of the Applicant, if they so wish.</p> <p>Misc Application for amendment is allowed. Shri Deshpande, learned Advocate stated that he will amend the Original Application and serve the same on the Respondents within two weeks.</p> <p>Learned P.O states that Respondents will file affidavit in reply to the amended O.A within two weeks thereafter.</p> <p>S.O to 29.3.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>



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

1

Order dt:- 6/1/17  
As indicated by AI  
Resp copy through ~~to~~ CPO by  
Resp No. 1 to 3  
By ~~me~~ on:- 9/1/17



DATE: 11/3/17

CORAM:

Hon'ble Mr. Justice (Chairman)  
Rajiv Agarwal C/JC  
Hon'ble Mr. Justice (Member)

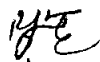
APPEARANCE:

Shri/Smt. L.S. Deshmukh

Advocate for the applicant

Shri/Smt. H.K. Rajpurohit  
C.P.O./P.O. for the respondent

Adj. To: 15/3/17



Learned Advocate for the  
applicant prays for leave  
to amend the OA and  
add annexures.

Leave as prayed is granted.

So to 15/3/2017.

Sd/-

(RAJIV AGARWAL)  
11/3/2017

Sd/-

(A. Rajpurohit)  
11/3/2017

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 Ceram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 01.03.2017

O.A.No.1091 of 2016

A.G. Phulsange ....Applicant

Versus

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

1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Learned P.O. for the Respondents Shri K.B. Bhise states that reply for Respondent Nos.1 and 2 is ready and it needs to be finalized.
3. Learned P.O. for the Respondents prays for a week's time.
4. Time as prayed for is granted.
5. Adjourned to 16.03.2017.

DATE: 11/3/17

CONFIRMED

Hon'ble Justice S.K. Joshi (Chairman)

Hon'ble Shri V. Ramakrishna (Member) A

APPEARANCE:

Shri/Smt. .... B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. .... K.B. Bhise

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

Adj. To: 16/3/17

*Handwritten initials*

*Handwritten signature*  
(A.H. Joshi, J.)  
Chairman

sba

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

Tribunal's orders

Date : 01.03.2017.

O.A.No.68 of 2017

S.A. Surewad

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri V.S. Panpatte, the learned Advocate for the Applicant, Smt. Archana B.K., the learned Presenting Officer for the Respondents and Shri A.M. Misal, the learned Advocate for the Respondent No.2.

2. Smt. Archana B.K., the learned Presenting Officer for the Respondents has tendered reply. It is taken on record.

3. Shri V.S. Panpatte, the learned Advocate for the Applicant states that he wants to argue on the point of interim relief.

4. Heard. Shri V.S. Panpatte, the learned Advocate for the Applicant argues that the points urged in the representation, (copy whereof is at page 44 of the O.A. paper book) reveals that the case of raid against the applicant is false and frivolous etc. All these points are points of defence and are not open to question at this stage.

5. Presently, it being the case of suspension upon the raid conducted by Anti Corruption Bureau, prima facie, Applicant has not made due cause for interim relief. Hence, request for grant of interim relief is rejected.

6. O.A. is admitted. O.A. shall come up in due course.

(A.H. Joshi)

Chairman

prk

DATE: 13/2017

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. V.S. Panpatte

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adv. A.M. Misal for R.2

Adj. To: O.A. is admitted. O.A. shall

come up in due course

prk

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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### O.A.919/2016

**Mr. H.R. Jadhav** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Shri Ajay Sharma holding for Mrs. A.T. Javeri, the learned Advocate for the Applicant and Shri M.D. Lonkar, the learned Special Counsel with Mrs. K.S. Gaikwad, the Presenting Officer for the Respondents.

The learned Advocate for the Applicant seeks a short adjournment on the ground of personal difficulty of the learned Advocate who will argue this matter. In the meanwhile, Mr. Lonkar tenders Affidavit-in-sur-rejoinder. On 17.1.2017, the Hon'ble Vice-Chairman was pleased to record that such a Sur-rejoinder would not be filed. It is objected to, on behalf of the Applicant. However, in as much as actually the arguments have not commenced and the interest of the Applicant can be safeguarded by liberty to file a further Affidavit, if so advised and with this safeguard, the said Affidavit-in-sur-rejoinder is taken on record. The OA stands adjourned to 9<sup>th</sup> March, 2017.

DATE: 11/3/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. Ajay Sharma  
holding for the Applicant  
Advocate for the Applicant A.T. Javeri

Shri/Smt. M.D. Lonkar  
C.P.O./P.O. for the Respondents  
Spl. Counsel with K.S. Gaikwad

Adj. To S.O. to 9/3/17 (skw)  
Rejoinder filed  
by R.No. 2

Sd/-  
(R.B. Malik) 01.03.17  
Member (J)  
01.03.2017

**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>DATE: <u>01/03/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>B. A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>Ms. N. G. Gohad</u> C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To. <u>02/03/2017</u></p> <p style="text-align: center;">(B)</p>	<p>Date : 01.03.2017</p> <p>C.A.No.17 of 2017 in O.A.No.586 of 2016</p> <p>Dr. S.S. Chappalwar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadkar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. At the request of the learned P.O. for the Respondents, adjourned to 02.03.2017.</p> <p style="text-align: center;">Sd/- <u>(A.H. Joshi, J.)</u> Chairman</p> <p>sb</p>