

**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>2/1/19</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> <u>Shri/Smt. Applicant and</u> <u>Advocate absent.</u> <u>Advocate for the Applicant</u></p> <p><u>Sd/- K.S. Gaikwad</u> <u>P.O. for the Respondents</u></p> <p><u>Adj. S.O. to O.A. is dismissed</u> <u>in default.</u></p>	<p style="text-align: center;"><u>O.A.897/2015</u></p> <p>Shri S.M. Sagvekar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Applicant and his Advocate both are absent.</p> <p>2. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent Nos.1 & 2 and Shri C.T. Chandratre, learned Advocate for Respondent No.3.</p> <p>2. The matter is for final hearing, but the Applicant and his Advocate both are absent at 4.00 p.m. As such, it seems that the Applicant and his Advocate are not interested in the proceedings.</p> <p>3. The O.A. is, therefore, dismissed in default. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 02.01.2019</p> <p style="text-align: center;">(skw)</p>

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<p>DATE: <u>2/1/19</u></p> <p><u>CORAM</u> Hon'ble Shri A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> <u>Shri. Smt. Applicant and</u> <u>his Advocate absent.</u> Advocate for the Applicant</p> <p><u>Shri. Smt. A. B. Kololgi</u> <u>C.P.O. for the Respondents</u></p> <p><u>Adv. S.P. O.A. is dismissed</u> <u>in default.</u></p>	<p style="text-align: center;"><u>O.A.72/2018</u></p> <p>Shri A.M. Patil ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Applicant and his Advocate both are absent in the morning session, and therefore, the matter was adjourned till recess. However, in the afternoon session also, the Applicant and his Advocate are absent. Heard Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. The matter is for hearing at the stage of admission. Reply is already filed.</p> <p>3. However, today, the Applicant and his Advocate both are absent, and therefore, the O.A. is dismissed in default. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 02.01.2019</p> <p style="text-align: center;">(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

O.A.948/2018

Shri S.B. Jadhav ... Applicant

Vs.

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

1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has challenged the suspension order dated 23.06.2017. He was working as Supply Awal Karkun in the Office of Tahasildar, Bhiwandi, District : Thane. He came to be suspended because of registration of FIR for the offences under Sections 7, 12, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988.

3. The Applicant has challenged the suspension order on the ground that, despite the period of lapse of 18 months, his matter was not placed before the Review Committee in terms of G.R. dated 14.08.2011. Besides, his appeal filed with the Hon'ble Minister on 13.04.2018 is also not decided and kept pending. It is on this background, he has approached this Tribunal contending that the continuous suspension without taking review of the same as well as without bothering to decide the appeal is illegal.

4. True that the Applicant can approach this Tribunal if his appeal or representation is not decided within six months by the competent authority as contemplated under Section 20 of Administrative Tribunals Act, 1985. However, as the appeal is already sub judice, it would be appropriate to dispose of the application with direction to decide the appeal within specific time limit. Therefore, I am not going into merits of the case and it would be appropriate to dispose of the present O.A.

5. In view of above, the O.A. is disposed of with direction that the appeal pending before the Hon'ble

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Tribunal's orders

DATE: 2/1/19
CORAM

Hon'ble Shri. A. P. Kurhekar, Member (J)


APPEARANCE

Shri. ~~Smt.~~ A. U. Bhandiwale

Advocate for the Applicant

Shri/Smt. A. J. Chougale

C.P.O. for the Respondent/s

Adj. SO to D.A. is disposed
of. 

Minister be decided within a period of four weeks from today without fail.

6. As the Applicant is under suspension for more than 18 months, time limit of four weeks given ~~to~~ above be observed strictly and decision be communicated to the Applicant.

7. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member-J
02.01.2019

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>2/1/19</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. M.D. Lonkar for the Applicant Shri. K.S. Gaikwad for the Respondent's</p> <p>Adj. S.O. to <u>5/3/19</u></p>	<p>Date : 02.01.2019</p> <p>D.A.No.1012 of 2018 with O.A.No.1013 of 2018</p> <p>S.S. Mirgal (O.A.1012/2018) D.Y. Warang (O.A.1013/2018)Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Today the matter is fixed for final hearing. However, learned Advocate has submitted that in one of the O.A. arising from the similar facts this Tribunal has rejected the claim of the Applicant therein, but the said matter is pending in Writ Petition before the Hon'ble High Court and the said matter is likely to be decided at the end of this month or in February.</p> <p>3. Learned Advocate Shri M.D. Lonkar, therefore, requested to adjourn these matters so that by that time the decision of the Hon'ble High Court could be made available which have impact on the present proceedings.</p> <p>4. In view of the above, the matter is adjourned for final hearing in the first week of March, 2019.</p> <p>5. S.O. to 05.03.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

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<p>DATE : <u>2/1/19</u></p> <p>CORAM Honble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>M.D. Lonkar</u> Advocate for the Applicant</p> <p>Shri./Smt. <u>K.S. Gaikwad</u> L.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to : <u>4/1/19.</u></p>	<p>Date : 02.01.2019</p> <p>O.A.No.3 of 2019</p> <p>K.H. SableApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 04.01.2019.</p> <p>Sd/- (<u>A.P. Kurhekar</u>) Member(J)</p> <p>prk</p>

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

Date : 02.01.2019

O.A.No.1095 of 2018

S.P. KhandeApplicant.
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. The present O.A. is filed seeking direction to the Respondents to consider the application of the applicant dated 31.01.2011, ~~for~~^{for} his transfer at the place of choice in general transfer of-2019.

3. Learned Counsel Shri A.V. Bandiwadekar for the Applicant submitted that applicant is due for transfer in ensuing general transfer of 2019 and therefore his representation made to the Department on 31.01.2018 needs to be considered by the Respondents sympathetically but it being not done, so he approached this Tribunal for direction.

4. It is thus quite clear that at present there seems to be no cause of action to approach this Tribunal.

5. At this stage, the learned Counsel Shri A.V. Bandiwadekar seeks time to satisfy about maintainability of this O.A., which seems to be premature. On his request matter is adjourned to 07.01.2019.

DATE : 2/1/19

CORAM

Honble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

~~Shri. A.V. Bandiwadekar~~

Advocate for the Applicant

~~Smt. Archana B.K.~~

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

Adj./S.O. to 7/1/19

(Signature)

(Signature)

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders

Date: 02.01.2019

O.A.No.1144 of 2018

P.P. PednekarApplicant.
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 30.01.2019.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 30.01.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

DATE: 2/1/19
CORAM
Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE
Shri. A.V. Bandiwadekar

Advocate for the Applicant

Ms. S. Suryawanshi
C.P.O. for the Registry

Adj./S.O. to 30/1/19

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

Tribunal's orders

Date : 02.01.2019

O.A.No.1145 of 2018

5.P. NaikApplicant.
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri S.D. Dole, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 30.01.2019.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 30.01.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

DATE : 2/1/19

CORAM

Honble Shri. A. P. Kurhekar, Member (J)

APPEARANCE

Shri. A.V. Bandiwadekar

Advocate for the Applicant

Shri/smt. S.D. Dole

C.P.O. for the Respondent/s

Adj./S.O. to 30/1/19.

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<p>DATE : <u>2/1/19</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE <u>Shri. P. Saachi Hendre</u> Advocate for the Applicant</p> <p><u>Shri. A. J. Chougule</u> C.A.P.O. for the Respondents</p> <p>Adj./S.O. to <u>15/1/19</u></p>	<p>Date : 02.01.2019</p> <p>O.A.No.1 of 2019</p> <p>M.V. GhadageApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. Hendre, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 15.01.2019. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 15.01.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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<p>DATE: <u>2/1/19</u> CORAM Hon. Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Poonam Sapate Smt. Poonam Mahajan Advocate for the Applicant</p> <p>Smt. Ms. B. P. Manchekar C.P.O. for the Respondent/s</p> <p>Ag. to O.A. is disposed of.</p>	<p>Date : 02.01.2019</p> <p>O.A.No.429 of 2018 (Subject : Provisional Pension /D.E.)</p> <p>V.V. KaldhoneApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms. Poonam Sapate, the learned Advocate holding for Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Ms. Poonam Sapate seeks permission to withdraw the present O.A. with clear instructions from the applicant.</p> <p>3. present It seems that the grievance raised by the applicant in present O.A. has been redressed and therefore he does not want to continue the proceedings.</p> <p>4. In view of the above, allowed to withdraw the O.A. Original Application is disposed of with no order as to costs.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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<p>DATE : <u>2/1/19</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE <u>Shri. C.T. Chandratre</u> Advocate for the Applicant</p> <p><u>Ms. S. Suryawanshi</u> for the Respondents Reply filed G.P.R. No. 9. Adj/S.O. to <u>16/1/19</u></p>	<p>Date : 02.01.2019</p> <p>O.A.No.750 of 2018</p> <p>P.U. Bisen ...Applicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Ms. S. Suryawanshi for the Respondents has filed affidavit-in-reply on behalf of Respondent No.1. It is taken on record. As per the averments made in the affidavit-in-reply filed today, applicant is is entitled for Rs.20,155/- only towards the interest on delayed payment and it has been already deposited in the account of the Applicant.</p> <p>3. In view of the reply filed by Respondent No.1 today that the sum of Rs.20,155/- is already paid to the Applicant, the learned Advocate for the Applicant seeks time to verify this fact and also to confirm quantum of interest required to be paid by the Respondents to the Applicant.</p> <p>4. In view of the request of learned Advocate for the Applicant matter is adjourned for hearing and reply of other Respondents, if any.</p> <p>5. S.O. to 16.01.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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<p>DATE: <u>21/1/19</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>M.D. Lonkar</u> Advocate for the Applicant</p> <p>Shri. <u>S.D. Dole</u> C.P.O. for the Respondents O.A. is admitted Adj. S.O. to Rejoinder filed by Applicant. S.O. to 18/1/19.</p>	<p>Date : 02.01.2019</p> <p>O.A.No.865 of 2018</p> <p>S.M. JadhavApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri S.D. Dole, the learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate Shri M.D. Lonkar for the Applicant has filed additional affidavit-in-rejoinder along with documents which are taken on record.</p> <p>3. As the pleadings are completed, the matter is admitted and adjourned for final hearing on 18.01.2019.</p> <p style="text-align: right;">N L Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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<p>DATE : <u>2/1/19</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.D. Dole</u> P.O. for the Respondent/s Rejoinder to Appl. Ad/S.O. to <u>7/1/19</u></p> <p><i>(Signature)</i></p>	<p>Date : 02.01.2019</p> <p>O.A.No.950 of 2018</p> <p>R.S. DevareApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Shri S.D. Dole, the learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate Shri A.V. Bandiwadkar for the Applicant filed affidavit-in-reply of the Applicant. It is taken on record.</p> <p>3. Today the matter is for hearing on interim relief. However as the pleadings are completed it would be appropriate to decide the matter on merit at the stage of admission itself.</p> <p>4. In view of the above, matter is adjourned to 07.01.2019 for hearing at the stage of admission.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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<p>DATE : <u>2/1/19</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri. C.T. Chandratre Advocate for the Applicant</p> <p>Shri. Ms. S. Suryawanshi C.P.O. for the Respondents</p> <p>Adv. to O.A. is disposed of</p>	<p>Date : 02.01.2019</p> <p>O.A.No.504 of 2018 (Subject : Transfer)</p> <p>5.R. KhadsareApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. challenge is to transfer the order dated 31.05.2018 whereby applicant has been transferred from Wai District Satara to Beed, whereas the applicant has made representation for posting at Kolhapur / Sangli.</p> <p>3. Today learned P.O. Ms. S. Suryawanshi for the Respondents has tendered order of the Department dated 28.12.2018. It is taken on record. The said order shows that the request of the applicant for his transfer at Sangli has been recommended and the posting order of the Applicant will be issued soon.</p> <p>4. Thus it appears that the grievance of the Applicant is likely to be resolved as the posting order will be issued soon.</p> <p>5. In view of the above O.A. needs to be disposed of with direction to take decision about the posting of the applicant at Sangli and to pass appropriate order within four weeks. Hamdast is allowed.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>