

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.592 OF 2017

Shri U.R. Bhosale ..Applicant
Versus
The State of Maharashtra & Ors. ..Respondents

Miss S.P. Manchekar – Advocate for the Applicant
Shri K.B. Bhise – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman
DATE : 3rd October, 2017

ORDER

1. Heard Miss S.P. Manchekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.
2. Heard for some time.
3. It has transpired that the suspension was ordered on 3.5.2017. Though five months time has elapsed, suspension is not reviewed and even charge sheet is not ready.
4. It is seen that Special IGP, Konkan Range – Respondent No.2 has taken the action of suspending the applicant may be as competent authority.

5. In this background, Special I.G.P. Konkan Range – Respondent No.2 is directed to call for entire papers of present case and study those.
6. Thereafter, he shall take out a date schedule of steps taken from time to time including the spell of time during which the file had remained pending or unattended and there was no progress whatsoever.
7. He shall find out and ascertain the reasons due to which applicant's case was not taken up for review of suspension.
8. He shall then find out the time frame within which the decision to serve charge sheet or to drop proceedings would be taken.
9. He shall also state the reasons as to why suspension should be continued further when prima facie, steps to isolate the misconduct against applicant is not completed despite spending over five months.
10. Affidavit be filed on or before 11.10.2017.
11. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.



Sd/-

(A.H. Joshi, J.)
Chairman
3.10.2017

Dictation taken by: S.G. Jawalkar.

**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> 3/10/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt: <u>A.R. Joshi</u> Advocate for the Applicant Shri/Smt: <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>5/10/2017</u></p> <p style="text-align: right;"><i>B.K.</i></p>	<p><u>03.10.2017</u></p> <p><u>O.A No 661/2017</u></p> <p>Shri S.S Gargote Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri A.R Joshi, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. S.O to 5.10.2017.</p> <p style="text-align: right;">Sd/- (A.H Joshi, J.) 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>DATE: <u>3/10/17</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>A.R. Joshi</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s Adj. To. <u>MA is allowed.</u></p> <p>APPEARANCE: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A Shri/Smt. : Advocate for the Applicant Shri/Smt. : C.P.O./P.O. for the Respondent/s Adj. To.:</p>	<p>03.10.2017 <u>M.A 314/2017 in O.A No 661/2017</u></p> <p>Shri S.S Gargote ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.R Joshi, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents. 2. Applicant has filed O.A no 661/2017 praying for relief that case of his promotion which has remained in abeyance because his performance appraisal has been kept in sealed cover, reopened and he may be granted the promotion. 3. Original Application is delayed by one year, 8 months and 10 days. 4. Notice of this Misc Application was served on 3.8.2017. Affidavit in reply is not filed till date and this Misc Application is orally opposed. 5. It is not in dispute that the claim of the applicant for promotion is pending. The reasons for pendency are not coming forward. 6. Thus, present is a case of delay on the part of the applicant, which is contributed by the neglect on the part of the Respondents. 7. In the result, applicant has made out a case for grant of condonation of delay. Therefore, delay is condoned. 8. M.A seeking condonation of delay is allowed. Parties are directed to bear own costs. <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p> <p style="text-align: left;">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

O.As. No.762 to 765 of 2017

S.S. Shete	(OA.762/17)	
O.M. Laddha	(OA.763/17)	
J.R. Sawant	(OA.764/17)	
A.G. Rajwade	(OA.765/17)	..Applicants
Vs.		
The State of Maharashtra & Ors.		..Respondents

Heard Ms. Preeti Walimbe, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. OAs are removed from Board. Applicants shall be free to apply for order of notice from the Registry.

Sd/-

(A.H. Joshi, J.)
Chairman
3.10.2017

(sgj)

DATE: 3/10/17

CORAM:

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

~~Hon'ble Shri M. Rameshkumar (Member)~~

APPEARANCE:

Shri/Smt. Ms. Preeti Walimbe

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj. To O.As. are removed from Board.

(Signature)

**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

M.A. No.348 of 2017 in O.A. No.762 of 2017 with
M.A. No.349 of 2017 in O.A. No.763 of 2017 and
M.A. No.350 of 2017 in O.A. No.764 of 2017 and
M.A. No.351 of 2017 in O.A. No.765 of 2017

S.S. Shete (MA.348/17)
O.M. Laddha (MA.349/17)
J.R. Sawant (MA.350/17)
A.G. Rajwade (MA.351/17) ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Preeti Walimbe, learned Advocate for
the Applicants and Shri N.K. Rajpurohit, learned Chief
Presenting Officer for the Respondents.

2. Ld. Advocate for the Applicants states that let
MAs be disposed since OAs are within time seeing the
date of impugned order.

3. MAs are disposed.



Sd/-

(A.H. Joshi, J.)
Chairman
3.10.2017

(sgl)

DATE: 3/10/17

CORAM:

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

~~Hon'ble Shri M. Ramasankumar (Member)~~

APPEARANCE:

Shri/Smt. Ms. Preeti Walimbe

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj. To: M.As are disposed.




**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>3/10/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>Ms. Preeti Walimbe</u> Advocate for the Applicant Shri/Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p><u>Adj. To S.O. to 10/11/17</u></p> <p><i>[Signature]</i></p>	<p>M.A. No.352 of 2017 in O.A. No.766 of 2017</p> <p>Shri B.D. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Preeti Walimbe, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant prays for leave to amend by substituting the memo and annexures of MA.</p> <p>3. Leave as prayed is granted.</p> <p>4. S.O. to 10.11.2017.</p> <p style="text-align: right;">  Sd/- (A.H. Joshi, J.) Chairman 3.10.2017 </p> <p>(sgj)</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> 3/10/17</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramachandran (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. Ms. Preeti Walimbe Advocate for the Applicant Shri/Smt. Archana B.K. C.P.O./P.O. for the Respondent/s</p> <p>Aty. To. 10/11/17</p> <p><i>[Signature]</i></p>	<p><u>O.A. No.766 of 2017</u></p> <p>Shri B.D. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Preeti Walimbe, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. List with MA No.352 of 2017 for condonation on 10.11.2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 3.10.2017</p> <p>(sgj)</p>

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

Tribunal's orders

MA NO 268/17
71
O A 770/14

DATE: 3/10/17

CORAM:

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

APPEARANCE:

Shri/Smt: A.V. Bondiwadkar

Advocate for the Applicant

Shri /Smt: K.P. Dhise

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

Adj. To: MA is allowed.

B.T.

Heard.

MA for amendment is
allowed & disposed.

Sd/-

M. J. Joshi

3/10/2017

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

Tribunal's orders
O.A. No. 928 of 2017

Shri S.S. Sutar Applicant
Vs.
The State of Maharashtra & Ors. Respondents

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 1.11.2017. To be heard along with OA No.610 of 2017.

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

4. Applicant is authorized and directed to serve on 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 three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.H. Joshi, J.)

Chairman

3.10.2017

(sgj)

DATE: 3/10/2017

CORAM:

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

Hon'ble Shri M. Kamal Kumar (Member) A

APPEARANCE:

Shri. R.M. Kolge

Advocate for the Applicant

Shri. N.K. Rajpurohit

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

Adj. To: Issue notice returnable

on 1/11/2017.

B/E

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

Tribunal's orders
O.A. No.887 of 2017

Shri R.D. Gaikwad ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. This Tribunal directs that the officer who has passed impugned order to call for present OA and all relates papers, study those and then to file affidavit on the point namely:

“When impugned action was taken after more than 3 years from notice dated 8th July, 2014, what on facts in law, precluded the present incumbent of the post of Respondent No.1 from giving a detailed notice of show cause stating the grounds and possible action against which he is called to show cause, hear him on the said grounds and possible action i.e. possible removal and pass order thereafter.”

3. Reply be filed on or before 6.10.2017.
4. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.

DATE: 3/10/2017

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Adv. : B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : S. Suryawanshi

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

Adj. To: 3/10/2017

(sgj)

Sd/-

(A.H. Joshi, J)
Chairman
3.10.2017


IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>3/10/17</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt.: <u>V.P. Patil Kare</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt.: <u>K.B. Bhise</u></p> <p>C.P.O / P.C. for the Respondent/s</p> <p>Adj. To: <u>Removed from board.</u></p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 03.10.2017.</p> <p style="text-align: center;">O.A.No.675 of 2017</p> <p>A.D. KhadeApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Removed from board.</p> <div style="text-align: right;">  Sd/- (A.H. Joshi) J. Chairman </div>

**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>3/10/17</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt: <u>V.V. Joshi</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt: <u>K.S. Gaikwad</u></p> <p>C.R.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>Removed from board.</u></p> <p style="text-align: right;"><i>ME</i></p>	<p><u>M.A. No.386 of 2017 in O.A. No.85 of 2017</u></p> <p>Shri A.K. Randive ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Removed from board.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.H. Joshi, J.) Chairman 3.10.2017</p> <p>(sgj)</p>

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

Tribunal's orders

DATE: 7/9/17

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

Hon'ble Shri R. B. MALIK (Member)
(Vice-Chairman)

APPEARANCE:
Shri/Smt. V.V. Joshi

Advocate for the Applicant
Shri/Smt. N.K. Rajpurushit
C.P.O./P.O. for the Respondents

Adj. To: 19/9/17
For Reply

O A NO 224/17

Date: 19/9/17
S. B. Not available
Board Discharged
S. O. to 3/10/17

Learned P.O. has tendered affidavit
It is taken on record
Applicant's prayers are seen
conceded hence OA is allowed
in terms of admission.

DATE: 3/10/17

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

APPEARANCE:
Shri/Smt. V.V. Joshi

Advocate for the Applicant
Shri/Smt. N.K. Rajpurushit
C.P.O./P.O. for the Respondent/s

Sd/-

A.H. Joshi
3/10/2017

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

CA 196/17

1. Affidavit is tendered by state,
It is taken on record.
2. Learned Advocate for applicant
states that the purpose of filing
OA is accomplished.
3. Hence OA is disposed

DATE: 31/11/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt: K.R. Jagdale

Advocate for the Applicant

Shri/Smt: H.K. Rajpurehit

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

By To: Hence OA is
disposed.

[Handwritten signature]

[Handwritten signature]

Sd/-

[Handwritten signature]

31/11/2017

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

Tribunal's orders

O.A. 826/17

At the request of Adv
for applicant, OA is
disposed as withdrawn
in view of applicant's transfer
to the control room

DATE: 3/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member)

APPEARANCE:

Shri/Smt. V.V. Joshi

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To: OA is disposed as
withdrawn.

file



Sd/-

M. Rameshkumar

3/10/2017

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

Tribunal's orders

O A 911/17

Learnt PO states that order to relieve
the applicant for joining at promoted
post upon his furnishing the undertaking
is issued today.

Learnt advocate for applicant
states that now the purpose of
filing OA is accomplished.

Hence OA is disposed.

[Signature]

Sd/-

[Signature]

3/10/2017

DATE: 3/10/17

CORAM:

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

Hon'ble Shri M. Karandikumar (Member) A

APPEARANCE:

Shri/Smt. K.B. Rajan

Advocate for the Applicant

Shri/Smt. K.B. Dhise

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

Hence
Adj. To OA is disposed of.

[Signature]