

**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
	<p>Date : 04.06.2019.</p> <p>O.A.No.217 of 2019</p> <p>V. J. KambleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed the present O.A. for grant of his retiral dues as well as medical bill, travelling allowance, etc. which are pending with the department for long time. The Applicant stands retired on 30.11.2017.</p> <p>3. On hearing of the learned Advocate for the Applicant and the learned P.O. for the Respondents, it emerges that the retiral benefits are not granted because of pendency of three Departmental Enquires (D.E.s) initiated against the Applicant by issuance of charge sheet dated 03.10.2017.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Perusal of record reveals that the 1st D.E. was for the alleged mis-conduct in the period from 2005 to 2009, the 2nd D.E. was for the alleged mis-conduct in the period from 2009 to 2013 and the 3rd D.E. for the alleged misappropriation in the period from 2013 to 2017. The Applicant stands retired on 13.11.2017 and only before one month of retirement, the charge sheets were issued against him. In fact, in view of the period of alleged mis-conduct, the department ought to have initiated the D.E. immediately after occurrence of alleged incidence. However, the charge sheets have been issued belatedly only before one month of retirement of the Applicant. Now, because of belated D.E., the retirement benefits are withheld. As such, lethargy and inaction on the part of Respondents to initiate D.E.s at the appropriate time is obvious.</p> <p>5. Be that as it may, as the D.E.s were pending on the date of retirement those are required to be continued and concluded without loss of time so that the Applicant should get his retiral dues as per his entitlement and subject to the decision in D.E.s.</p> <p>6. In view of above, the present O.A. needs to be disposed of with specific and suitable directions to the Respondent No.1 who is appointing authority. Hence the following order.</p> <p style="text-align: center;"><u>ORDER</u></p> <p>(A) All the D.E.s initiated and pending against the Applicant be concluded by passing final order therein within three months from today without fail and the decision as may be, be communicated to the Applicant within two weeks thereafter.</p> <p>(B) Medical bill, Travelling Allowance bill, Leave Encashment, claim for salary or leave period (item Nos.1, 2, 5 and 7 of the Chart, page Nos.76 of P.B.) be paid in accordance to rules and his entitlement within a month from today.</p> <p>(C) The Respondent No.1 is further directed to pay provisional pension to the Applicant till the conclusion of D.E..</p> <p>(D) No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 04.06.2019.

O.A.No.336 of 2018

Shri R. D. AkrupeApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. In the present matter, the Applicant was suspended by order dated 19.03.2018, which is under challenged in the present O.A. This Tribunal was required to pass various speaking orders to take review of the suspension of the Applicant. Ultimately, belatedly the Applicant has been reinstated in service but he was posted on the post other than held by him at the time of suspension.

3. The Applicant was suspended in contemplation of D.E. by order dated 19.03.2018. However, the Respondent No.1 failed to take action promptly and to conclude the same without loss of time. The charge sheet has been served on 29.05.2018. The Applicant has submitted the reply to the charge sheet on 21.09.2018. However, till date no further steps have been taken to complete the D.E.

4. Shri Hemant Mahajan, Under Secretary is present in the Court and stated that the Respondent No.1 i.e. Government has not yet received the reply from the office of the Commissioner, Food & Drugs Administration., Maharashtra State which again shows laxity on the part of Respondents to conclude the D.E.

5. Shri Mahajan fairly admits that in case of suspension of the employee, D.E. needs to be completed within six months from the date of suspension. His statement that the Government has not yet received reply dated 21.09.2018 submitted by the Applicant itself is indication of the mal administration and laxity on the part of the Respondent to follow the Government Resolution issued from time to time for completion of D.E. within stipulated time.


6. Thus, what emerges from the record that till date no enquiry officer has been appointed so as to conclude the D.E.

7. In view of above, the Respondent No.1 is directed to file Affidavit to explain the delay in completion of D.E.

8. S.O. to 11.06.2019 for filing Affidavit-in-Reply.

9. Hamdast and steno copy is granted.

Sd/-


(A.P. Kurhekar)
Member(J)

**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 : 04.06.2019.</p> <p>O.A.No.397 of 2019</p> <p>K. J. KuwarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respt.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned P.O. for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. On the request of learned Advocate for the Applicant, the matter is adjourned for filing Rejoinder.</p> <p>4. S.O. to 12.06.2019.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p>

vsm

**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 : 04.06.2019.</p> <p align="center">O.A.No.194 of 2019</p> <p>C. B. JagalpureApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Joshi, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 and 2 separately. It is taken on record.</p> <p>3. Two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 18.06.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**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.

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
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Date : 04.06.2019.

O.A.No.61 of 2019

T. N. MandekarApplicant

Versus

The State of Maharashtra & Ors. ...Respt.

1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned P.O. for the Respondents.

2. The Respondent No.1 has already filed Affidavit-in-Reply. No reply is filed on behalf of the Respondent No.2.

3. As the pleadings are complete, the matter is admitted and adjourned for final hearing.

4. S.O. to 12-6-2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

Date : 04.06.2019.

O.A.No.477 of 2019

B. V. KulkarniApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

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

2. In the present O.A., the Applicant is seeking direction for grant of 1st Time Bound Promotion, 2nd Time Bound Promotion, Deemed date of Promotion etc. which seems to have been not granted because of pendency of D.E. initiated and pending against the Applicant.

3. Perusal of the judgment in O.A. No.1024/2010 decided by Aurangabad Bench on 03.02.2016 reveals that the directions were issued to the Enquiry Officer to complete the D.E. within six months from the date of order. It has been also noted by the Tribunal that the charges levelled against the Applicant relates to the period from 2004 to 2008. Learned Advocate for the Applicant has pointed out that despite specific time limit given by the Tribunal in O.A. 1024/2010, the directions have not been complied with and still the Applicant is deprived of service benefits because of pendency of D.E.

4. In fact, for non compliance of order passed by this Tribunal in O.A. No.1024/2010, the concerned officials is guilty for contempt of the Court which can be dealt with separately. Presently, it is necessary to know why despite specific order of the Tribunal in O.A.1024/2010 why D.E. has not been concluded.

5. Learned P.O. requests for grant of time to take instructions and to file reply.

6. The Respondent No.2, The Commissioner, Food & Drugs Administration, M.S. seems to be disciplinary authority of the Applicant, as there is non compliance of the order passed by the Tribunal in O.A.No.1024/2010, the Respondent No.2 Commissioner, Food & Drugs Administration is required to explain the situation and to show cause as to why action for contempt of court could not be initiated against him.

7. In view of above, issue show cause notice to Respondent No.2, Commissioner, Food & Drugs Administration as to why action for contempt of court should not be initiated against him, returnable on 17.06.2019.

8. Learned P.O. is at liberty to file reply in O.A., if desires.

9. The matter is expedited.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 04.06.2019.</p> <p align="center">O.A.No.342 of 2019</p> <p>S. P. HadkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. In pursuance of the direction issued by this Tribunal in order dated 08.04.2019, now the department has reconstructed the service book and the steps have been initiated to grant provisional pension. 3. In so far as non-payment of regular pension and gratuity is concerned, the stand of the department seems to be that because of certain recoveries, those are withheld. 4. It is really surprising that the Applicant stands retired on 31.07.2016 still he is not getting his retiral benefits. 5. Two weeks time is granted lastly to file Affidavit-in-Reply so that the matter can be disposed of expeditiously. <p>6.S.O. to 19.06.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**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 : 04.06.2019.</p> <p align="center">O.A.No.357 and 358 of 2019</p> <p>Dr. P. D. Durgude Dr. U. P. DurgudeApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Joshi, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondent No.1 and Shri Sugandh Deshmukh, learned Advocate for the Respondent Nos.2 to 4.</p> <p>2. Today, Shri Sugandh Deshmukh, learned Advocate for the Zilla Parishad has filed reply stating that the amount of G.P.F. along with interest thereon is being credited in the account of G.P.F. of the Applicant.</p> <p>3. In view of above, the grievances of the Applicants being complied with, the O.A. needs to be disposed of.</p> <p>4. Learned Advocate for the Applicants also fairly concedes that the grievances of the Applicants are fulfilled.</p> <p>5. In view of above, both the Original Applications stands disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**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>Date : 04.06.2019.</p> <p align="center">O.A.No.409 of 2019</p> <p>Dr. B.H. Tadvī _____Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant has filed Affidavit in-Rejoinder. It is taken on record. 3. Today, in terms of order passed by this Tribunal on 09.05.2019, learned P.O. has filed Affidavit of the Principal Secretary, Excise. It is taken on record. 4. The matter is adjourned for hearing at the stage of admission. 5. S.O. to 12.06.2019. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**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 : 04.06.2019.</p> <p align="center">O.A.Nos.420 & 421 of 2019</p> <p>P. L. Mokashi & Anr.Applicants</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record.</p> <p>3. Two weeks time is granted for filing Rejoinder on the request of learned Advocate for the Applicants.</p> <p>4. S. O. to 12.06.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**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 : 04.06.2019.</p> <p>M. A. No.270 of 2019 In O. A. No.459 of 2019</p> <p>U. A. Sonawale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. D. Lonkar, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.2. This is an application for leave to sue jointly.3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.5. M.A. is allowed. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.06.2019.</p> <p style="text-align: center;">O. A. No.459 of 2019</p> <p>U. A. Sonawale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 02.07.2019. 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 seven 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 02.07.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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>Date : 04.06.2019.</p> <p>O.A.No.1056 of 2018</p> <p>V. L. HateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Respondent No.1 has already filed Affidavit-in-Reply. No reply is filed on behalf of the Respondent No.2.</p> <p>3. As the pleadings are complete, the matter is admitted and fixed for final hearing.</p> <p>4. S.O. to 04.07.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

vsm

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

Tribunal's orders

Date : 04.06.2019.

O. A. No.450 of 2019 with M.A. No.264 of 2019

K. V. Mahamuni

....Applicant

Versus

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

1. Heard Shri A. R. Joshi holding for Shri V. V. Joshi, learned Advocate for the Applicant and Smt. Archana B. K. learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 02.07.2019.
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 seven 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 02.07.2019.

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 : 04.06.2019.

M. A. No.274 of 2019 in O.A.No.1065 of 2017

The State of Maharashtra & Ors.Applicants
(Ori. Respondents)

Versus

S. S. Panindre ...Respondent (Ori. Applicant).

1. Heard Smt. Archana B. K., learned P.O. for the Applicants (Ori. Respondents) and Shri M. B. Kadam, learned Advocate for the Respondent (Ori. Applicant).

2. The present Misc. Applicant is filed for grant of one month's time for compliance of the order passed by this Tribunal dated 28.02.2019. The Tribunal by order dated 28.02.2019 directed the Respondent No.1 to decide the proposal dated 20.01.2018 within six weeks' from the date of order. However, It being not complied with within the time granted by this Tribunal, the learned P.O. has filed present M.A..

3. The perusal of record reveals that the period of six weeks granted by the Tribunal is expired on 11.04.2019, whereas the application for extension of time is filed on 07.05.2019 which is quite belated and cannot be entertained in such manner.

4. At this juncture, learned P.O. urged that the State would file application for condonation of delay in moving the present M.A..

5. Allowed to file M.A. for condonation of delay.

6. The present M.A. be taken on record after filing of M.A. for condonation of delay.

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 : 04.06.2019.

M.A. No.18 of 2019 in O.A.No.53 of 2019

S. R. Shinde & Ors.Applicants

Versus

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

1. Heard Shri A. R. Joshi holding for Shri V. V. Joshi, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 02.07.2019.
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 M.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 seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 02.07.2019.

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 : 04.06.2019.

O. A. No.484, 485, 486 & 487 of 2019

P. H. Patil
R.P. Patil
D.R. Bhadane
V. M. Honde

....Applicants

Versus

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

1. Heard Shri P. G. Kayande, learned Advocate for the Applicants, Shri A. J. Chougule, Smt. Kranti Gaikwad and Smt. Archana B. K., learned Presenting Officers for the Respondents.
2. Issue notice before admission returnable on 03.07.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicants are 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.s. 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. Applicants are directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Applications shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 03.07.2019.

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 : 04.06.2019.

O. A. No.419 of 2019

S. V. Joge

....Applicant

Versus

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

1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 02.07.2019.
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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 seven 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 02.07.2019.

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 : 04.06.2019.

O.A.No.294 of 2019

R.G.Shendge

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Today, the matter is for final hearing at the stage of admission wherein the challenge is to the suspension order dated 14.04.2017. This is second round of litigation between the parties. In the first round of litigation i.e. O.A.1076/2018, the directions were issued to take review of the suspension within a month by order dated 30.01.2019 but no decision was taken within time. It is only after filing the present O.A., the order has been passed on 28.02.2019 to continue the suspension.
2. The Applicant is retiring at the end of June, 2019.
3. The charge sheet has been served on 19.06.2017 but D.E. is not progressing.
4. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents on merit.
5. After conclusion of arguments, learned P.O. submitted that by letter dated 05.03.2019, the Commissioner again made recommendation for revocation of the suspension and reinstatement in service of the Applicant but the decision is pending. She, therefore, requested for two days time to take instructions from the department about the decision on the recommendation made by the Commissioner in his letter dated 05.03.2019.
6. As the arguments are already heard, the matter is closed for order. Learned P.O. is at liberty to take instructions from the department and to inform the Tribunal by 07.06.2019. If no decision is taken by 07.06.2019, O.A. will be decided on merit.

Sd/-

(A.P. Kurhekar)
Member(J)


**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 : 04.06.2019.</p> <p align="center">M. A.No.243 of 2019 in O.A.No.294 of 2019</p> <p>R. G. ShendgeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant submits that she is not pressing the M.A.No.243/2019. 3. In view of above statement made by the learned Advocate for the Applicant, M.A. is disposed of with no order as to costs. <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p>

vsm

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

Tribunal's orders

Date : 04.06.2019.

O.A.No.1130 of 2018

U. B. Dhumal & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Today, the learned Advocate for the Applicant has filed Rejoinder. It is taken on record.
3. Learned Advocate for the Applicant has pointed out that the matter in issue is already decided by this Tribunal in O.A.No.975/2018 decided on 16.04.2019 and the Applicant being similarly situated person is entitled to the benefit of the said judgment.
4. Learned P.O. for the Respondents is directed to take instructions from the department about finality of this judgment delivered by this Tribunal in O.A.No.975/2018 and to see whether the Applicant in present O.A. are entitled to the benefit on the ground of parity so that the present O.A. can be disposed of expeditiously.
5. The Respondent No.1 is, therefore, directed to apprise the Tribunal about finality of the judgment delivered by this Tribunal in O.A. No.975/2018 by next date and he should depute some responsible officer from his office to remain present in the Tribunal along with concerned file.
6. At this stage, learned P.O. sought permission to file additional affidavit in reply on behalf of the Respondent No.1 and 2.
7. Allowed to file additional affidavit in reply on behalf of the Respondent Nos.1 and 2.
8. S.O. to 25.06.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 04.06.2019.</p> <p align="center">M.A. No.163 of 2019 In O.A.No.1096 of 2018</p> <p>Vijay K. ChaudhariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D. B. Khaire, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant has filed the present M.A. for amendment of the O.A. so as to include some additional grounds in the O.A.. 3. The Respondents have not filed reply yet. 4. The proposed amendment i.e. inclusion of some additional grounds will not change the nature of proceeding. 5. Hence, the Applicant is allowed to amend the O.A. It be incorporated within a week. 6. In view of above, M.A. 163/2019 is allowed and disposed of with no order as to costs. 7. Respondents are directed to file reply to the O.A. as well as amended pleadings on next date. 8. S.O. to 26.06.2019 in O.A.1096/2019. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

vsm

**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 : 04.06.2019.</p> <p align="center">O.A.No.149 of 2019</p> <p>S. S. Suryawanshi & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar , learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. On the last date, on the request of the learned P.O. time was granted to file separate reply on behalf of the Respondent Nos.2 to 4, if necessary. 3. Today, however, the learned P.O. states that he has no instructions from the Respondent Nos.2 to 4. Statement of the learned P.O. is recorded. 4. Reply of the Respondent No.1 is already filed. 5. The matter is adjourned for hearing at the stage of admission. 6. S.O. to 12.06.2019. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

vsr

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 : 04.06.2019.</p> <p style="text-align: center;">O.A.No.479 of 2019</p> <p>V. R. ChirmullaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan , learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. As observed by this Tribunal in order dated 16.05.2019, the impugned suspension order dated 10.01.2019 is ex-facie illegal as admittedly, the Applicant was not in custody for more than 48 hrs. so as to invoke the Rule 4(2)(a) of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. 3. As such, the suspension being ex-facie illegal, it deserves to be stayed. 4. On the request of learned P.O. for the Respondents, two weeks time is granted for reply, if any failing which the matter will be disposed of finally. 5. Hamdast and steno copy is allowed. 6. S.O. to 18.06.2019. <p style="text-align: right; margin-right: 50px;">Sd/-</p> <p style="text-align: right; margin-right: 50px;">(A.P. Kurhekar) Member(J)</p>

VSM

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

Tribunal's orders

Date : 04.06.2019.

O.A.No.494 of 2019

M. S. Sayyed

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the present O.A., the challenge is to the transfer order dated 29.05.2019, whereby the Applicant has been transferred from Railway Police, Pune to CID, Pune. The perusal of order dated 29.05.2019 reveals that the transfers were effected in view of the request made by the Police Officials invoking Section 22N(2) of the Maharashtra Police Act. It is pointed out by the learned Advocate for the Applicant that by representation dated 26.03.2019, the Applicant has requested for transfer to Pune Commissionerate or Pimpri-Chinchwad Commissionrate but he has been shown as transferred to CID, Pune and he apprehends that his positing orders will be issued, posting him at place other than Pune. So far, posting orders are not issued.
3. Learned P.O. for the Respondents seeks short time to take instructions and to make statement about the posting orders of the Applicant. If the Applicant is posted in Pune itself then perhaps grievance of the Applicant may not survive.
4. In view of above, learned P.O. is directed to take instructions and apprise the Tribunal.
5. Issue of grant of interim relief is kept open.
6. Hamdast and steno copy is allowed..
7. The matter is adjourned to 06.06.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 04.06.2019.</p> <p>O.A.No.303 of 2019</p> <p>M. N. ThosareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Today, learned P.O. has filed short affidavit in reply to explain file noting whereby the Government decided to continue the suspension. It is taken on record.</p> <p>3. S.O. to 06.06.2019.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p>

vsm

**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 <u>O.A. No.71 of 2019</u>
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S.D. Giri	..Applicant
Vs.	
The State of Maharashtra & Ors.	..Respondents

Heard Shri Prasad Patil, learned Advocate holding for Shri Datta Mane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks adjournment. Ld. PO seeks two weeks time to file reply.

3. S.O. to 24.6.2019.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
4.6.2019

(sgl)

DATE: 4/6/2019

CORAM:

Hon'ble Justice Shri A. G. Joshi (Chairman)
Hon'ble Shri P.N. DIXIT V.C. (A)
Hon'ble Shri (member) A

APPEARANCE:

Shri Prasad Patil Ld. Adv.
holding for Shri Datta Mane Ld.
Advocate for the Applicant

Shri A.J. Chougule Ld.
C.P.O./ P.O. for the Respondents

Adj. To 24/6/2019

P.N. Dixit

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>4/6/2019</u></p> <p>CORAM: <u>Shri B.P. Patil VCSJ</u> Hon'ble Justice Shri A. H. Joshi (Chairman) <u>P.N. Dixit JCSJ</u> Hon'ble Shri M. V. Deshpande (Member)</p> <p>APPEARANCE: Sd/- <u>Preeti Walimbe</u> Advocate for the Applicant</p> <p>Sd/- <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Leave as prayed is granted.</p> <p>Adj. To <u>13/6/2019</u></p> <p><i>[Signature]</i></p>	<p>Date : 04.06.2019</p> <p>O.A.No.454 of 2019</p> <p>P.H. Patil Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Ms. Preeti Walimbe, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for the Respondents.</p> <p>2. Learned Advocate Ms. Preeti Walimbe for the Applicant seeks leave to amend the O.A., more particularly paragraph No.10 and 11 of page 17 and 18.</p> <p>3. Leave as prayed is granted. Amendment be made within one week.</p> <p>4. Learned Advocate for the Applicant is directed to remove office objection. Learned Advocate has to satisfy regarding maintainability of O.A. on the point of limitation.</p> <p>5. S.O. to 13.06.2019.</p> <p>Sd/- <u>(P.N. Dixit)</u> Vice-Chairman(A)</p> <p>Sd/- <u>(B.P. Patil)</u> Vice-Chairman(J)</p> <p>prk</p>

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 O.A. No.1216 of 2012 with O.A. No.1198 of 2013
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S.K. Rajput & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Applicant No.1 Shri S.K. Rajput is present in person.
Heard Shri A.J. Chougule, learned Presenting Officer for the
Respondents, Shri A.D. Gugale, learned Advocate for
Respondents No.7, 8, 12 & 13 and Shri Govind Solanke,
learned Advocate for Respondent No.60.

2. Applicant No.1 - Shri S.K. Rajput mentions that he
proposes to seek assistance of Advocate for prosecuting the
matter further. At his request he is permitted to withdraw
the matter with liberty to approach the Tribunal after
completing the necessary relevant documents.

DATE: 4/6/2019

CORAM: ~~Shri B.P. Patil VC (SG)~~
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~P.N. Dixit VC (A)~~
Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : Appl. No.1 Shri S.K. Rajput
is present.
Advocate for the Applicant

Shri/Smt. : A.D. Gugale Ld. Adv. for
C.P.O./P.O. for the Respondent/s No. 7, 8, 12 &
Shri Govind Solanke Ld. Adv. for

Adv. to B.H. Go.

Shri A.J. Chougule Ld. P.O.
for the Respondents

At his request he is permitted
to withdraw the matter.

AT

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
4.6.2019

(sgj)

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 M.A. No.283 of 2019 in O.A. No.445 of 2019
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M.T. Metake & Ors.	Applicants
Vs.	
The State of Maharashtra & Ors.	Respondents

Heard Shri S.B. Talekar, learned Advocate for the Applicants, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 to 3 and Ms. Vaishali Maindad, learned Advocate holding for Shri Abhijeet A. Desai, learned Advocate for Respondent No.4-MPSC.

2. Ld. Advocate for the applicants states that he has submitted an application to MPSC for providing necessary information on 27.5.2019.

3. Ld. Advocate for Respondent No.4-MPSC on instructions from Shri Vilas Vidya, Desk Officer, MPSC states that email addresses are being obtained from Maha Online, the agency processing the applications. Ld. Advocate for Respondent No.4 states that the progress regarding the same would be intimated by 7.6.2019.

4. S.O. to 7.6.2019.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
4.6.2019

(sgj)

DATE: 4/6/2019

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri P.N. Dixit V.C. (A)
Hon'ble Shri M. K. Kulkarni (Member) A

APPEARANCE:

Shri/Smt.: S.B. Talekar Ld.

Advocate for the Applicant

Shri/Smt.: A.J. Chougule Ld.

C.P.O./P.O. for the Respondent/s 1 to 3.

Ms. Vaishali Maindad Ld. Adv. for

Adv. to R.H.A. holding for

Shri Abhijeet A. Desai for

R.No. 4 - MPSC.

S.O. to 7/6/2019.

13/7