

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

Original Application No.780 of 2018

V.V. Dalvi

)Applicant

Versus

The State of Maharashtra & Ors.

).. Respondents

Shri A.V. Bandiwadekar, learned Advocate for the Applicant.

Shri A.J. Chougule, the learned for the Respondents.

CORAM : Shri A.P. Kurhekar, Member (J)

DATE : 05.12.2018.

ORDER

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. On the last date, the matter was adjourned in view of the letter dated 1.11.2018 written by Director of Vocation Education and Training, Maharashtra State to the Principal Secretary, Skill Development and Entrepreneurship Department, Maharashtra State to the effect that the issue of appointment on compassionate ground is under serious consideration as the appointments are given to other candidates who are similar situated persons. Accordingly two weeks' time was granted to the leaned P.O. to take appropriate decision and inform the Tribunal about the same, today.
3. Today, the learned P.O. for the Respondents has tendered letter dated 27.11.2018 issued by Desk Officer of Respondent No.3 to Respondent No.2. It shows that the directions were given to collect the information of all pending cases relating to appointment on compassionate ground and submit the proposal to Government accordingly.
4. As such, it appears that the matter is under process and it will be take some time.

5. Father of the Applicant died in harness in 2005. At appears that the claim of the Applicant for appointment on compassionate ground was earlier rejected which was communicated to the Applicant by letter dated 12.04.2013 on the ground that the deceased was in the pay scale of Rs.9300-34800 G.P. Rs.4300/- and therefore, the Applicant was not entitled for appointment on compassionate ground. However, this aspect seems to have been finally settled by higher judicial forum and hence the appointments on compassionate ground are given to similar situated persons. On the basis of it, now the Applicant has filed O.A. on 24.8.2018 for appointment on compassionate ground. Infact, in this proceeding the Applicant has challenged the order dated 22.2.2018 issued by Assistant Director as well as Information Officer, Vocation Education and Training under information of Right to Information Act.

6. Be that as it may, the Applicant now filed application before this Tribunal for appointment on compassionate ground on parity needs to be decided on merit expeditiously.

7. As per letter, today tendered by the learned P.O. it appears that the subject is under consideration of concerned authority and may take some time. As the subject matter is of appointment on compassionate ground, it needs to be expedited otherwise very purpose of filing of O.A. can be frustrated.

8. In this Original Application reply is not yet filed as the matter was under consideration before the concerned authority.

9. In view of above, learned P.O. is directed to file reply within two weeks without fail as well as take necessary steps pertaining to the matter which is already in process with the concerned department.

10. S.O. to 20.12.2018.

Sd/-

(A.P. Kurhekar)
Member (J)

sba

**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>5/12/2018</u></p> <p>CORAM : <u>Shri P.N. Dixit (M/A)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Savita Suryawanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>7/12/2018</u></p> <p style="text-align: right;"><u>MT</u> A.</p>	<p style="text-align: center;"><u>O.A. No.247 of 2018</u></p> <p>S.V. KawathekarApplicant Vs. The State of Maharashtra & Ors.Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply would be filed shortly.</p> <p>3. S.O. to 7.12.2018.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 5.12.2018</p> <p>(sgl)</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
<p>DATE : <u>5/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S. Suryavanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>O.A stands</u> <u>automatically dismissed.</u></p> <p align="right"><i>M.D.</i></p>	<p>05.12.2018</p> <p align="center">O.A No 940/2018</p> <p>Shri A.S Desai & Ors Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Savita Suryavanshi, learned P.O for the Respondents.</p> <p>2. Request for extension of time is refused in the background that applicants as well Respondents are from Mumbai.</p> <p>3. In view of the above, O.A stands automatically dismissed.</p> <p align="right">Sd/- (A.H Joshi, J) Chairman</p> <p align="center">Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>5/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>A.S. Gaikwad</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.P.O./R.O. for the Respondent/s 1 to 10. <u>AA. M.D. Lonkar</u> for R.to. 11 to 18. Adj./S.O. to <u>19/12/2018.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>05.12.2018</p> <p style="text-align: center;"><u>O.A No 754/2018</u></p> <p>Shri D.R Borde & Others ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.S Gaikwad, learned advocate applicants, Ms Swati Manchekar, learned C.P.O for the Respondents 1 to 10 and Shri M.D Lonkar, learned advocate for Respondents no. 11 to 18.</p> <p>2. Affidavit in reply on behalf of Res. No. 1 to 10 is taken on record.</p> <p>3. Shri Lonkar, learned advocate for added Respondents no. 11 to 18 seek two weeks' time to file reply.</p> <p>4. Two weeks' time is granted.</p> <p>5. S.O to 19.12.2018.</p> <p style="text-align: right;">Sd/- <i>[Signature]</i> (A.H Joshi J.) Chairman</p> <p style="text-align: left;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>DATE : <u>5/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) <u>Hon'ble shri P.N. Dixit C.M.J.</u></p> <p>APPEARANCE: Sh. Name: <u>None for the App.</u></p> <p>Ad. Name for the Applicant</p> <p>Sh. Name: <u>Swati Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>Dismissed for want of prosecution.</u></p> <p style="text-align: right;"><u>AKM</u></p>	<p>05.12.2018</p> <p><u>O.A No 597/2016</u></p> <p>Shri P.D Kokate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Dismissed for want of prosecution.</p> <p style="text-align: center;">Sd/- <u>(P.N Dixit)</u> Member (A)</p> <p style="text-align: right;">Sd/- <u>(A.H Joshi, J)</u> Chairman</p> <p style="text-align: left;">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.

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Tribunal's orders

Date : 05.12.2018.

O.A. Stamp No.307 of 2014

M.B. GaikwadApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned P.O. Shri A.J. Chougule for the Respondents is directed to take instructions on following points :-

- (a) As to whether the post of cook had remained till filing of O.A..
- (b) The date when it was filled in.
- (c) Whether post was vacant when the affidavit was filled in present O.A..
- (d) Whether the vacancy of the post of cook from S.C. category is available on today.

3. Steno copy and Hamdast is allowed to learned P.O..

4. Learned P.O. is directed to communicate this order to the Respondents.

5. S.O. to 14.12.2018.

Sd/-
(P.N. Dixit)
Member(A)

Sd/-
(A.H. Joshi),
Chairman

DATE : 05/12/2018

CORAM :

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

Hon'ble Shri P.N. Dixit (M.A.)

APPEARANCE:

Shri/Smt : S.S. Dere

Advocate for the Applicant

Shri/Smt : A.J. Chougule

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

Adj./S.O. to 14/12/2018

BAE

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

Tribunal's orders

Date : 05.12.2018

O.A.No.1049 of 2018

M.B. PanditApplicant.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for Respondents.

2. Issue notice before admission returnable on 07.01.2019.

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. 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 Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 07.01.2019.

DATE : 05/12/2018

CORAM :

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

Hon'ble Shri P.N. Dixit (MLA)

APPEARANCE :

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to Issue notice before
admission returnable on
07/1/2019.

B.H.

Sd/-

(P.N. Dixit)
Member(A)

Sd/-

(A.H. Joshi J.)
Chairman


**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>9/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>None for the app.</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>S.P. Manchekar</u> C.P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>16/1/2019.</u></p> <p align="right"><i>B.E.</i></p>	<p align="center">05.12.2018</p> <p align="center"><u>O.A No 320/2018 with 316/2018</u></p> <p>Shri N.R Thakur & Others ... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that the affidavit in this case filed by Dy. Secretary, Home may have to be withdrawn in view of stand taken by the Government subsequently and therefore, time may be granted for taking suitable steps.</p> <p>3. In view of request of learned C.P.O for taking necessary, hearing of this O.A is adjourned to 16.1.2019.</p> <p align="right">  Sd/- (A.H Joshi, J) Chairman </p> <p align="center">Akn</p>

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<p>DATE : <u>5/12/18</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>None for the appl.</u> Advocate for the Applicant Shri/Smt. : <u>S.P. Manchekar</u> C.P.O. for the Respondent/s Adj./S.O. to <u>4/2/2019.</u></p> <p align="right"><i>ME</i></p>	<p>05.12.2018</p> <p align="center"><u>O.A No 781/2018</u></p> <p>Shri S.B Shingade ... Applicant</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that the case involving same issue is kept hearing on 4.2.2019.</p> <p>3. S.O to 4.2.2019.</p> <p align="right">Sd/- (A.H Joshi, J.) Chairman</p> <p align="right">n</p> <p>Aln</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____

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<p>DATE : <u>5/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : Shri/Smt. : <u>A.A. Gharate</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>S.P. Manjekar</u> C.P.O./R.O. for the Respondent/s</p> <p>Adj./S.O. to <u>8/1/2019</u></p> <p align="right"><i>File Dr.</i></p>	<p align="center"><u>05.12.2018</u></p> <p align="center"><u>O.A No 849/2018</u></p> <p>Shri R.S Salunkhe & Ors ... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.A Gharte, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned advocate for the applicant, adjourned to 8.1.2019, because learned advocate for the applicants wants to lay hands on case law to support his arguments that allotment of less quota for Degree holder Engineers results in violation of rule of fairness and guarantee under Articles 14 of the Constitution of India.</p> <p align="right">Sd/- (A.H Joshi, J) Chairman</p> <p align="center">Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

Original Application No.1167 of 2017

Shri N.B. Yadav

)Applicant

Versus

The State of Maharashtra & Ors.

)....Respondents

Shri A.V. Bandiwadekar, learned Advocate for the Applicants.

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

CORAM : Shri A.P. Kurhekar, Member (J)

DATE : 05.12.2018.

ORDER

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 matter pertains to delay in releasing retiral dues in view of the objection in respect of increment granted to the Applicant though he has not passed Marathi Language Examination and recovery sought to be made from his retiral benefits.
3. However, today learned P.O. for the Respondents has tendered copy of letter dated 16.11.2018 issued by the office of Respondent No.1 addressed to office of Accountant General (A.G.) informing that the objection for not passing Marathi Language Examination has been waived and exemption has been granted to the Applicant by order dated 17.7.2018. It is further stated in the letter that, in pursuance of it Pay Verification has been done afresh and also got verified from Pay Verification Unit. Accordingly, A.G. was requested to approve the proposal and sanction the pension and other retiral dues. As such, in view of the order dated 16.11.2018, grievance of the Applicant is redressed.
4. Learned Advocate for the Applicant, however, submitted that the matter be kept pending so that the Applicant will get actual monetary benefits which are not received by the Applicant, yet.

5. Shri T.L. Bagadi, Senior Assistant, Office of the Manager Incharge, Central Dairy Aarey, Goregaon (E), Mumbai 65 on behalf of the Respondent No.1 is present and submitted that the proposal is already submitted to the office of A.G. and it will be sanctioned shortly.

6. In view of the above, I do not think it necessary to keep the matter pending as the proposal is already submitted to the office of A.G. and it will be sanctioned soon.

7. As such, there is no point to keep the matter pending on the file and it is disposed of with directions to the Respondent to take follow-up of the pension proposal submitted to the office of A.G., get it sanctioned and the monitory benefits be actually released within two months from today. Failing which, the Respondents will be liable for interest as per rules.

8. Steno copy and Hamdast is allowed.

Sd/-
(A.P. Kurhekar)
Member (J)

sba

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<p>DATE : <u>9/12/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri <u>M.D. Lonkar</u> Advocate for the Applicant</p> <p>Shri <u>S. Suryavanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>6/12/2018</u></p> <p style="text-align: right;"><i>A.H.</i></p>	<p><u>05.12.2018</u></p> <p style="text-align: center;"><u>C.A 37/2018 in O.A No 907/2018</u></p> <p>Shri U.A Sonawane & Ors ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Savita Suryavanshi, learned P.O for the Respondents.</p> <p>2. At the request of learned P.O, adjourned to 6.12.2018.</p> <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p> <p style="text-align: right;"><i>ru</i></p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>5/12/18</u> <u>COPAM</u> Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> Shri./Smt. <u>M.D. Lonkar</u> Advocate for the Applicant</p> <p>Shri./Smt. <u>Archana B.K.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>7/12/18</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	<p>Date : 05.12.2018</p> <p style="text-align: center;">O.A.No.889 of 2018</p> <p>Dr. A.W. VaidyaApplicant VersusRespondents. The State of Maharashtra & Ors.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents. 2. In the present matter suspension order dated 29.10.2016 is under challenge and Applicant is under suspension for more than two years. However, till date, no criminal case is filed as submitted by the learned P.O. for the Respondents. 3. On the last date, matter was adjourned at the request of the learned P.O. to take instructions from the department about the review of suspension. 4. Today, learned P.O. on instructions received from Shri Ravindra Gote, Under Secretary, Public Health Department submits that now steps are being taken for placing the matter before the review committee and necessary decision would be taken in due course. 5. What has transpired is that though the Applicant is under suspension for more than two years, no steps are taken about the review of suspension as mandated ^{Memo filed} by the Government Resolution and nor charge sheet is filed. Therefore, matter needs to be expedited. 6. At the request of the learned P.O. for the Respondents, matter is lastly adjourned to 7.12.2018 for filing affidavit-in-reply, if desire as well as to inform this Tribunal about the steps taken for the process of review. 7. S.O. to 7.12.2018. 8. Steno copy and Hamdast is allowed. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sba</p>

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<p>DATE : <u>5/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> Shri. <u>Smt. L. S. Deshmukh</u> Advocate for the Applicant</p> <p>Shri. <u>Smt. A. J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>19/12/18</u></p>	<p>Date : 05.12.2018</p> <p>O.A.No.668 of 2018 with O.A.No.1004 of 2018</p> <p>A.R. Shaikh (O.A.No.668 of 2018) P.S. Tambe & Ors. (O.A.No.1004 of 2018) Applicants</p> <p>Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicants, Shri A.J. Chougule, the learned Presenting Officer for the Respondents in O.A.No.668 of 2018 and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents in O.A.No.1004 of 2018. 2. These matters were fixed for filing affidavit-in-reply on behalf of the Respondents. 3. Today, however, learned P.O. for the Respondent Shri A.J. Chougule pointed out that the transfer order which are impugned in the O.A.s are also subject matter of Writ Petition filed by Association i.e. Maharashtra Nursing Foundation. 4. It appears that the issue involved in the present O.A.s is also taken up in the Writ petition before the Hon'ble High Court by the Association. 5. However, learned Advocate for the Applicant submits that his Applicant in O.A.No.668 of 2018 is not member of the Association but the Applicants in O.A.No.1004 of 2018 are member of the Association. 6. As such, when the same issue is involved in Writ Petition before the Hon'ble High Court, the maintainability of these proceedings needs to be looked into. 7. Learned P.O. for the Respondents requested for time for filing affidavit-in-reply. 8. Two weeks' time is granted for filing affidavit-in-reply. 9. Learned Advocate for the Applicant is also directed to make his stand clear as to how the parallel proceedings will be entertained. 10. S.O. to 19.12.2018. <p style="text-align: right;">Sd/- (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 : <u>5/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri./Smt. Applicant and Advocate absent. Advocate for the Applicant Advocate present L.O. at 12.20 a.m. Shri./Smt. Archana B.K. C.P.O/P.O. for the Respondent/s No. 1 to 5. T. Jadhav for R. No 5. Adj./S.O. to <u>2/1/19.</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	<p>Date : 05.12.2018 O.A.No.254 of 2018 K.A. BhosaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. Heard Smt. Archana B.K., the learned Presenting Officer for the Respondent Nos.1 to 4 and Shri T. Jadhav, the learned Advocate for the Respondent No.5. 2. The perusal of record reveals that the Applicant and his Advocate are not attending proceeding regularly. 3. Infact, earlier also this application was dismissed in default and later on restored. However, thereafter again, the Applicant and his Advocate are remained absent. 4. On last date also, their absences was noted but the matter was adjourned to given one more chance to the Applicant. 5. However, today, again the Applicant and his Advocate are absent. As such they seem not interested in the proceeding. 6. Hence, Application is dismissed in default. No order as to costs. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>gba</p> <p style="text-align: center;">L.O.</p> <ol style="list-style-type: none"> 1. ^{At} On 12.20 a.m., learned Advocate for the Applicant appeared and requested to restore the matter which was dismissed in default in morning session. 2. He states that he was held ^{up} in proceedings in other court and therefore he could not reach within time. 3. In view of the above, Original Application No.254 of 2018 is restored. 4. Two weeks' time is granted to file affidavit-in-reply. 5. Learned Advocate for the Applicant is directed to inform the ^{restoration} decision of this proceeding to learned Advocate for the Respondent No.5. 6. S.O. to 2.1.2019. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>cha</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
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Date : 05.12.2018

O.A.No.189 of 2018

S.D. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.T. Pawar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. Respondent No.1 to 3 have already filed their affidavit-in-reply.

3. Insofar as Respondent No.4 is concerned, as per order passed by this Tribunal on 30.10.2018 notice was served to him.

4. Learned Advocate for the Applicant has filed affidavit of service. However, Respondent No.4 is absent.

5. As the pleadings are completed, the matter is admitted and adjourned for final hearing.

6. S.O. to 07.01.2019.

Sd/-

(A.P. Kurhekar)
Member (J)

gba

DATE : 5/12/18

CORAM

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

APPEARANCE

Shri/Smt. K.T. Pawar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj./S.O. to 7/1/19
O.A. is admitted.

FH
[Signature]

**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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Date : 05.12.2018

O.A.No.322 of 2017

Dr. P.W. KhandezodApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Applicant and his Advocate both are absent. Heard Smt. Archana B.K., the learned Presenting Officer for the Respondent Nos.1 to 3 and Shri G. Gavli, the learned Advocate for the Respondent Nos.4 & 5.
2. Respondent Nos.4 & 5 have already filed their affidavit-in-reply..
3. However, reply of Respondent Nos.1 to 3 is yet not filed though the matter pertains to 2017.
4. Learned P.O. for the Respondents again sought time to file affidavit-in-reply.
5. Three weeks' time is lastly granted for filing affidavit-in-reply.
6. 5.O. to 7.01.2019 as a most last chance.

DATE : 5/12/18

CORAM

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

APPEARANCE

~~Shri/Smt. Applicant and his Advocate absent.~~
Advocate for the Applicant

Shri/Smt. Archana B.K.

C.P.O./P.O. for the Respondents No. 1 to 3
G. Gavli for A.No. 4 & 5.

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

Most last chance.

Sd/-

(A.P. Kurhekar)
Member (J)

sba

**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 : <u>5/12/18</u></p> <p>CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p>APPEARANCE Shri./Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri./Smt. <u>R.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>19/12/18</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 05.12.2018</p> <p style="text-align: center;">O.A.No.266 of 2018</p> <p>K.S. KulkarniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant sought time as he want to amend the O.A.</p> <p>3. Two weeks' time is granted to take necessary steps.</p> <p>4. S.O. to 19.12.2018.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p style="text-align: left;">sba</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>5/12/18</u> 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. <u>Ms. S. P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>9/1/19</u></p>	<p>Date : 05.12.2018</p> <p>O.A.No.1055 of 2018</p> <p>V.S.MoneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Issue notice before admission made returnable on 09.01.2019. 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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 09.01.2019. <p style="text-align: right;">Sd/- (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
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Date : 05.12.2018

O.A.No.922 of 2018

G.R. NagaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. Gagale, the learned Advocate holding for Shri S.S. Deokar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. Issue notice before admission made returnable on 09.01.2019.
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 seven days and if service report on affidavit is not filed three days before returnable date, O.A. shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 09.01.2019.

DATE : 5/12/18
CORAM
Hon'ble Shri. A. P. Kurhekar, Member (J)

APPEARANCE
Shri/Smt. A. Gagale, holding
for S.S. Deokar,
Advocate for the Applicant

Shri/Smt. A.J. Chougule
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 9/1/19

Sd/-

(A.P. Kurhekar)
Member (J)

**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 : <u>5/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> Shri/Smt. Applicant and Advocate absent. Advocate for the Applicant</p> <p>Shri/Smt. K.S. Gaikwad G.P.O./P.O. for the Respondent/s</p> <p>Adj. S.O. to O.A. is dismissed in default.</p>	<p>Date : 05.12.2018</p> <p>O.A.No.323 of 2017</p> <p>Dr. V.U. IsaneApplicants Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Perusal of record reveals that the Applicant and his Advocate are continuously absent. On last date also, there absence was noted but matter was adjourned to give one more chance to take necessary steps. 3. However, today also Applicant as well as his Advocate both are absent. 4. Relief claimed in the application is in respect of interest on delayed G.P.F. 5. The Applicant and his Advocate are continuously absent. They seem not interested in the matter. Hence the matter is dismissed in default. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>gba</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
<p>DATE : <u>5/12/18</u> CORAM Hon'ble Shri. A. P. Kurhekar, Member (J)</p> <p><u>APPEARANCE</u> Shri/Smt. <u>A.V. Bandikar</u></p> <p>Advocate for the Applicant <u>Shri/Smt. Ms. S. P. Manchekar</u> C.P.O. for the Respondent/s No 2 & 3. <u>S.S. Deokar, for</u> <u>Adj. S.O. to R. No. 1</u> <u>S.O. to 13/12/18.</u></p>	<p>Date : 05.12.2018</p> <p>O.A.No.891 of 2018</p> <p>P.S. Patil & Ors.Applicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants, Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondent Nos.2 & 3 and Shri S.S. Deokar, the learned Advocate for the Respondent No.1.</p> <p>2. In the present matter, issue of jurisdiction of this Tribunal is involved.</p> <p>3. Learned C.P.O. for the Respondents requested for two weeks' time to file affidavit-in-reply on behalf of the Respondent Nos.2 & 3.</p> <p>4. Infact contesting Respondent is Respondent No.1, who has filed affidavit-in-reply.</p> <p>5. However, as learned C.P.O. also wants to file affidavit-in-reply on behalf of the Respondent Nos.2 & 3 , most last chance is granted for filing affidavit-in-reply.</p> <p>6. S.O. to 13.12.2018.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>sb</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
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R.A. No.8 of 2018 in O.A. No.468 of 2017

S.V. Bhagat ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri A.R. Joshi, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant has furnished details of various dates along with judgments he relies on.

3. S.O. to 6.12.2018.

DATE: 5/12/2018

CORAM: Shri P.N. Dixit (M/A)
(Member)

(Member) A

A.R. Joshi

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

Adj. To 6/12/2018

[Handwritten signature]

Sd/-
(P.N. Dixit)
Member (A)
5.12.2018

(sgj)

**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>5/12/2018</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri <u>Vrushali Maindad</u> holding for Adv. A.A. Desai Shri <u>A.G. Gohad</u> C.P. _____</p> <p>Adj. To <u>M.A. is allowed.</u></p>	<p><u>05.12.2018</u></p> <p><u>M.A 606/2018 in O.A No 1024/2018</u></p> <p>Ragini R. Bhongade & Others ... Applicants</p> <p>Vs: The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Vrushali Maindad, holding for Shri A.A. Desai, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present M.A is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A is allowed.</p> <p>Sd/- (P.N Dixit) Member (A)</p> <p>Sd/- (A.H Joshi, Chairman)</p>