

(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>9/2/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Applicant and Advocate</u> for the app. are absent. Advocate for Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O. for Respondent/s</p> <p>Adj. To <u>13/2/2019</u></p> <p style="text-align: right;"><i>M.E</i></p>	<p style="text-align: center;"><u>O.A. No.69 of 2018</u></p> <p>R.N. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondents no.1, 3 & 4 and the same is taken on record. She seeks one week's time to find out about the reply to be filed by respondent no.2.</p> <p>3. S.O. to 13.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.2.2019</p> <p>(sgj)</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.29 of 2019

DISTRICT : PUNE

Shri Dinesh Pundlik Sonone,)
Lower Grade Stenographer,)
District Caste Scrutiny Committee,)
Konkan Bhavan, Navi Mumbai.) **...Applicant**

Versus

The Commissioner, Social Welfare, (M.S.),)
Pune, O/at. 3, Church Road, Pune -1.) **...Respondent**

Shri A. V. Bandiwadekar, Advocate for Applicant.
Ms N. G. Gohad, Presenting Officer for the Respondents.

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 06.02.2019

ORDER

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondent.

2. In the present O.A., the challenge is to the suspension order dated 10.02.2017 whereby the Applicant was kept under suspension w.e.f. 24.01.2017 in view of his arrest in Criminal Case No.1105/2017 for the offence under Section 7, 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988. After suspension, the Applicant has made representation on 09.08.2017 for revocation of suspension and reinstatement in service. But it was not responded and, therefore, having spent two years under suspension, the Applicant has filed this O.A. invoking jurisdiction of this Tribunal under section 19 of the Administrative Tribunals Act, 1985.

3. Learned Advocate for the Applicant urges that prolong suspension of two years is illegal in view of the law laid down by the Hon'ble Supreme Court in

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(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.).

He further pointed out that the respondent is under obligation to take review of revocation or continuation of suspension in terms of G.R. dated 14.10.2011 as well as 31.01.2015, issued by G.A.D, State of Maharashtra. He, therefore, prayed for revocation of suspension and reinstatement of services.

4. Per contra, Ms. N.G.Gohad, learned P.O. submitted that as per instructions received by her, D.E. will be initiated soon and on compliance of necessary aspect, the matter will be placed before the Review Committee headed by the Divisional Commissioner. She has produced a letter dated 04.02.2019. It is taken on record.

5. As the suspension is continued for more than two years, obviously the same is unsustainable as mandated by the Hon'ble Supreme Court in **Ajay Kumar Choudhary's** case (cited supra).

6. Though, the Respondents has not filed reply, it can be disposed of with suitable directions as there is complete failure on the part of Respondent to adhere to the principles of law as well as instructions contained in G.R. dated 14.10.2011 as well as 31.01.2015.

7. In the present case, the Applicant was kept under suspension w.e.f. 24.01.2017. Thereafter, charge sheet in Criminal Case has been filed in September, 2018. Admittedly till date no D.E. is initiated and alleged process is in progress. As per the law laid down by the laid down by the Hon'ble Supreme Court in **Ajay Kumar Choudhary's** case (Supra) after filing of charge sheet in Criminal Case or D.E., the concerned authority needs to apply his mind as to whether further continuation of suspension is necessary or not, so that there could not be prolong suspension. The Authority needs to take objective decision so that the aggrieved person can avail legal remedy. Furthermore, in terms of G.R. referred to above, it is mandated where the suspension is on account of offence under Protection Act or IPC, the review needs to be taken after one year from the date of suspension.

8. However, in the present case, the failure on part of the Respondent to abide and to take action in terms of aforesaid G.R. is obvious. The Government employee cannot be kept under prolong suspension indefinitely on the ground that now department will take action. If such course of action allowed to continue, it will again prolong suspension. Therefore, the Government itself has laid down the time limit in the aforesaid G.R. Unfortunately, no such follow up action has been taken by the Respondents, which now required to be taken immediately.

9. In view of above, Original Application is disposed of with direction to the Respondents to place the matter before the Review Committee for decision on the issue of suspension, and the decision should be taken within six weeks from today. The decision, as the case may be, shall be communicated to the Applicant within one week thereafter.

10. If the Applicant feels aggrieved by such decision, he can avail the legal remedy in accordance to law.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

Place : Mumbai

Date : 06.02.2019

Dictation taken by : V.S. Mane

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(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.888 of 2018

A.S. Shirsath & Ors. ..Applicants
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri Kaustubh Gidh, learned Advocate holding for Ms. Kranti L.C., learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants mentions that OA was served on the respondents by email. Ld. PO mentions that respondents have informed her that they have not received the same. Ld. PO is directed to bring it to the notice of the respondents once again. Ld. Advocate for the applicant states that he would provide the same material again by email on the address provided by the respondents. Progress regarding the same may be intimated by 12.2.2019.

3. S.O. to 12.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
6.2.2019

(sgj)

DATE: 6/2/2019

CORAM:

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

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

APPEARANCE:

Shri/Son: Kaustubh Gidh Ld. Adv.

holding for Ms. Kranti L.C.

Advocate Applicant

Shri/Son: Neelima Gohad

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

Adj. To: 12/2/2019

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Appli

(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.947 of 2018

S.S. Salve & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Kaustubh Gidh, learned Advocate holding for Ms. Kranti L.C., learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants mentions that OA was served on the respondents by email. Ld. PO mentions that respondents have informed her that they have not received the same. Ld. PO is directed to bring it to the notice of the respondents once again. Ld. Advocate for the applicant states that he would provide the same material again by email on the address provided by the respondents. Progress regarding the same may be intimated by 12.2.2019.

3. S.O. to 12.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
6.2.2019

(sg)

DATE: 6/2/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. Kaustubh Gidh Ld. Adv.

holding for adv. Ms. Kranti L.C.
Ld. Advocate for the Applicant

Shri/Smt. Neelima Gohad

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

Adj. To 12/2/2019

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Appli

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.02.2019.</p> <p style="text-align: center;">O. A. No.1145 of 2018</p> <p>S. P.NaikApplicant</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 for the Respondents.</p> <p>2. As noted by this Tribunal in order dated 30.01.2019, the Respondent was directed to deputy some responsible officer to attend and to explain why the order passed in O.A. No.256/2013, decided on 13.11.2013 has not been complied with or whether there is any legal impediment to comply the same. Today, Shri S. G. Shinde, Police Inspector, Sindhudurg is present. He has simply produced the file but unable to explain anything.</p> <p>3. In fact, the Respondent ought to have deputed the office superintend, who is dealing with the administration to explain the issue involved in the matter. It appears from the letter dated 27.01.2016 issued by Shri V. S. Jagtap, Deputy Superintendent of Police, Sindhudurg that he has not understood the import of the directions given by this Tribunal in the judgment dated 13.11.2013. As per judgment, the directions were given to the Respondents to pay service benefits till the Applicant actually superannuated in view of the Provision of Section 47 of "The Persons with the Disabilities (equal 'Opportunities, Protection of Rights and Full Participation) Act, 1995. As the Applicant is permanently incapacitated for further service, he was held entitled for service benefits till he actually superannuates. However, no such allowances were paid and the Applicant is made to suffer.</p> <p>4. At this juncture, the learned P.O. made a statement that she will talk to the concerned officer personally and would apprise the Tribunal about the steps to be taken in terms of the order passed in O.A.No.256/2013.</p> <p>5. On the request of the learned P.O., one week's time is granted. The Respondents further directed to depute Office Superintend, who is looking after the administration on the next date with concerned file to explain why the order passed by this Tribunal has not been complied with or to inform about any legal impediment to comply the same.</p> <p>6. Hamdast and steno copy is allowed.</p> <p>7. S.O. to 13.02.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(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	Date : 06.02.2019 Tribunal's orders O. A. No. 84 of 2019
	<p>D. B. Salunkhe & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has pointed out that the issue in the matter is already covered by the order passed by this Tribunal in O.A.No.796/2012, decided on 16.04.2013, which has been confirmed by the Hon'ble High Court in W.P.No.7834/2016, decided on 08.08.2016. Therefore, the Applicants are also entitled to the relief granted to the Applicants in aforesaid O.A. invoking principle of "similarly situated persons". The Applicants have made various representations from time to time.</p> <p>3. The Respondent No.2 - Director of Town Planning, M.S. Pune by its letter dated 04.05.2017 sought direction / guidance from the Respondent No.1, but no decision was taken and, therefore, the Applicant has approached this Tribunal.</p> <p>4. Today, Shri N. B. Shelke, Desk Officer, Urban Development Dept., Mantralaya, Mumbai is present. He stated that after taking opinion of Law and Judiciary Department, the directions have been issued to the office of Respondent No.2 to take decision for grant of time bound promotion / ACP to the Applicants by letter dated 05.02.2019.</p> <p>5. Learned P.O. on instructions submitted that the decision will be taken within four weeks.</p> <p>6. In view of above, this Original Application can be disposed of with suitable directions to the Respondent No.2.</p> <p>7. Respondent No.2 is directed to take decision in terms of letter issued by the Government on 05.02.2019 in view of the decision tendered by this Tribunal in O.A.No.796/2012 as well as letter dated 04.05.2017. The decision be taken within four weeks and the monetary benefits accordingly be released within one week thereafter.</p> <p>8. Original Application is disposed of with no order as to costs.</p> <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	Date : 06.02.2019 Tribunal's orders
	<p style="text-align: center;">O.A.No.869 of 2018</p> <p>S. M. NaikApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Shri S. D. Dole with Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the directions are sought to release retiral benefits. The Applicant stands retired on 30.04.2015. However, No Dues Certificate / No D.E. Pending Enquiry Certificate has not been issued by the department because of some proposed D.E. / Inquiry. As the Applicant has already retired in 2015, the question would be as to how after the period of four years, the D.E. is permissible in view of Rule 27 of M.C.S.R. (Pension) Rules, 1982.</p> <p>3. This aspect needs to be examined by the Respondents. As per instructions of Shri S.D. Dole, learned P.O., he has received a letter from Assistant District Supply Officer, Sangli stating that Enquiry Committee has been set up and it would take six months time to take decision about D.E.. As such, admittedly, till date no D.E. is initiated. This being the position, whether such proposed D.E. would be permissible needs to be examined. But unfortunately, that has not been looked into by the Respondents, which go to the root of the matter. Retiral benefits of the Government employee cannot be kept in abeyance for such unsustainable plea.</p> <p>4. At this juncture, Smt. Kranti Gaikwad, learned P.O. makes a statement that she has realized the legal issue involved in the present matter and would talk to the Collector personally and will make statement on the next date in this regard.</p> <p>5. One week's time is granted to do the needful.</p> <p>6. S.O. to 13.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 06.02.2019.</p>
	<p style="text-align: center;">O.A.No.911 of 2015</p> <p>H. M. Chikhale & Ors.Applicant</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, learned Presenting Officer for the Respondents.</p> <p>2. Today, Shri Sunil Sovitkar, Joint Secretary, Home Department, Mantralaya, Mumbai is present. As per the order passed by this Tribunal on 18.01.2019, the matter was adjourned to know the status of the matter pending with the Government.</p> <p>3. Learned P.O. for the Respondents has tendered a letter dated 06.02.2019 which shows that the matter is under process and the views of Finance Department are sought. Therefore, he sought two weeks time so that in the meantime decision can be taken by the department.</p> <p>4. It is hoped that the Respondents will take follow up of the matter from the Finance Department expeditiously.</p> <p>5. On request of learned P.O., two weeks time is granted.</p> <p>6. S.O. to 22.02.2019.</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
	<p data-bbox="1149 592 1182 614" style="text-align: center;">-2-</p> <p data-bbox="836 710 1502 776">8. Issue notice before admission returnable on 06.03.2019.</p> <p data-bbox="836 805 1502 915">9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p data-bbox="836 944 1502 1130">10. 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.</p> <p data-bbox="836 1159 1502 1313">11. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p data-bbox="836 1342 1502 1528">12. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p data-bbox="836 1557 1502 1743">13. 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.</p> <p data-bbox="836 1771 1122 1793">14. S.O. to 06.03.2019</p> <p data-bbox="1240 1838 1300 1860" style="text-align: right;">Sd/-</p> <p data-bbox="1187 1904 1357 1964" style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p data-bbox="846 1977 883 1999">vsm</p>

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

Tribunal's orders

Date : 06.02.2019.

O.A.No.1037 of 2016

P. D. PramanikApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. ^{only} The issue remained in the present O.A. is to release actual monetary benefits to the Applicant with deemed date of promotion on 03.09.2001.

3. Today, the learned P.O. for the Respondents has tendered a letter dated 06.02.2019 issued by the Government. The letter is taken on record and marked as 'X' for identification. It shows that the Government has sanctioned deemed date of promotion to the Applicant w.e.f. 03.09.2001 to 30.06.2005, which is the date of retirement of the Applicant.

4. As such, now monetary benefits have to be calculated and to release by the Respondent No.4 i.e. the Commissioner, State intelligence Department, M.S. Mumbai.

5. In view of above, as the grievance of the Applicant is redressed, the O.A. can be disposed of with suitable directions.

6. Original Application is disposed of with directions to the Respondent No.4 to release the actual monetary benefits to the Applicant in terms of letter dated 06.02.2019 issued by the Government within eight weeks from today.

7. No order as to costs.

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 : 06.02.2019.

O.A.No.1056 of 2016

A. S. Jage ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. In this matter, the challenge is to the transfer order dated 09.09.2016 whereby the Applicant was transferred from Mahad to Alibaug. It was mid-term and mid-tenure transfer. Therefore, the order passed by this Tribunal on 10.11.2016, it has been stayed.

3. Now, during the pendency of this application, the Applicant has completed his normal tenure at Mahad and he will be due for transfer in general transfer of 2019.

4. Learned Advocate for the Applicant submitted that as the general transfers are due in next 2-3 months, it would be appropriate to continue the Applicant on the said post till the general transfer, so that his next transfer will be considered appropriately as per law. The submission is quite fair.

5. In fact, on the last date, on the above aspect, the directions were given to learned P.O. to take instructions from the department in this behalf. However, today learned P.O. submitted that she has not received any specific instructions.

6. In view of above, interim relief granted by this Tribunal is continued till the general transfer of 2019, as the Applicant is due for transfer in general transfer of 2019. The issue of his next transfer be considered as per the provisions of law.

7. For the aforesaid reasons, the Original Application is disposed of with no order as costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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	Date : 06.02.2019. Tribunal's orders O. A. No. 837 of 2017
	<p>L. K. IngoleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri J.N. Kamble, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of the matter reveals that it was pending before the Registrar for near about more than eight months for removal of the objections. As the objections were not removed, it was not listed before the Tribunal as per the oral directions given to the section.</p> <p>3. Still the objections raised by the office, are not removed.</p> <p>4. Enough time is granted for removal of objections. However, two weeks time is granted for removing objections. If the objections are not removed, the matter will stand dismissed in default without making reference to the Court. If the objections are removed within time given above, it be listed before the Tribunal under the caption of admission on 22.02.2019.</p> <p>5. S.O. to 22.02.2019.</p> <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

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 : 06.02.2019.</p> <p>O.A.No.1131 of 2018</p> <p>A. U. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Kranti Gaikwad , learned Presenting Officer for the Respondents.</p> <p>2. Earlier Advocate Shri C.T. Chandratre was appeared on behalf of the Applicant but he has withdrawn his Vakalatnama and, therefore, the Applicant is appearing in person ^{person} present. The Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 27.02.2019.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 06.02.2019.</p> <p>M. A. No.50 of 2019 in O.A.No.715 of 2017</p> <p>P. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. None for the Applicant. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This matter was called out in morning session. The Applicant and his Advocate are absent, therefore, kept back. Again it is called at 1.10. P.M., the Applicant and his Advocate are absent.</p> <p>3. M.A. has been filed for early hearing of O.A.No.715/2017. In fact, there was no necessity of filing of present M.A..</p> <p>4. Perusal of O.A. No.715/2017 reveals that the matter was admitted for final hearing on 24.08.2018.</p> <p>5. In view of above, M.A. is disposed of. <i>O.A be kept for final hearing of fixed date</i></p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 06.02.2019.</p> <p align="center">O. A. No.581 of 2018</p> <p>S. B. MetkarApplicant</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 Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. It being the transfer matter, this needs to be decided expeditiously.</p> <p>3. As the pleadings are complete, the matter be kept for final hearing under the caption of final hearing at the stage of admission.</p> <p>4. S.O. to 21.02.2019.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(I)</p> <p>vsm</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 : 06.02.2019.</p> <p>O. A. No. 794 of 2018</p> <p>P. M. KhotApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. H. Pawar, learned Advocate for the Applicant, Shri S. D. Dole, learned Presenting Officer for the Respondent Nos.1 to 4 and Shri R. G. Patil, learned Advocate for the Respondent No.5.</p> <p>2. Today, the matter is for filing rejoinder. However, learned Advocate for the Applicant stated that he does not want to file rejoinder and matter be kept for final hearing.</p> <p>3. As the pleadings are complete, the matter is admitted and adjourned for final hearing.</p> <p>4. 5.O. to 27.02.2019.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 06.02.2019.</p> <p>M. A. No.42 of 2019 in O.A.No.739 of 2017</p> <p>S. N. PophaleApplicant</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 Ms S. Suryawanshi, learned Presenting Officer for the Respondent No.2. None for Respondent No.1.</p> <p>2. The present M.A. is filed to incorporate and highlight the discriminatory treatment meted out to the Applicant and for this purpose reliance is placed on the judgment passed by this Tribunal in O.A. No.41/2016 decided by the Hon'ble Chairman on 10.08.2018. The proposed amendment is necessary for proper adjudication of the matter. Hence, Misc. Application is allowed.</p> <p>3. Amendment be carried out within one week. The Respondent is at liberty to file reply to the amended pleadings within three week from today.</p> <p>4. S.O. to 27.02.2019.</p> <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 _____

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 : 06.02.2019.</p> <p align="center">M. A. No.549 of 2018 in O. A. No.918 of 2018</p> <p>Dr. (Ms) G. SukumaranApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. R. Teli holding for Shri C. R. Sadasivan , learned Advocate for the Applicant and Shri A. J. Chougule holding for Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed <i>reply</i> to Misc. Application. It is taken on record.</p> <p>3. On the request of the learned Advocate for the Applicant, matter is adjourned for hearing.</p> <p>4. S.O. to 27.02.2019.</p> <p align="right">^ Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 06.02.2019. Tribunal's orders</p>
	<p style="text-align: center;">O. A. No.110 of 2019</p> <p>S. H. PathanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. B. Kadam, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 06.03.2019. 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 06.03.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(G.C.P.) J 2959 (A) (50,000-3-2017)

{Spl- MAT-F-2 E.

**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><u>DATE:</u> 6.2.2019</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.N. Dixit (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. M.D. Lonkar Advocate for the Applicant Shri/Smt. Neelima Gohad C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To: 13/2/2019</p> <p style="text-align: right;"><i>BTE</i></p>	<p style="text-align: center;"><u>O.A. No.1049 of 2018</u></p> <p>M.B. Pandit ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks one week's time to file reply.</p> <p>3. S.O. to 13.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 6.2.2019</p> <p>(sg)</p>