

**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>6/9/17</u></p> <p>CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) (Vice-Chairman)</p> <p>APPEARANCE: Shri. A.V. Bandiwadkar</p> <p>Advocate for the Applicant Shri. Smt. Ms. S. Suryawanshi</p> <p>C.P.O./P.O. for the Respondents</p> <p>Adj. To: S.O. to 14/9/17.</p> <p style="text-align: right;">PH [Signature]</p>	<p style="text-align: center;"><u>O.A.218/2017</u></p> <p>Mr. U.V. Deshmukh ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>Heard Mr. A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>The learned PO is being instructed by Ms. Krutika M. Patil, Law Officer and Mr. N.Y. Patil, Naib Tahsildar, Collector Office, Thane (Estt. Branch).</p> <p>The arguments of Mr. Bandiwadkar are already heard. The arguments of the learned PO are being conclusive so far.</p> <p>The Applicant came to be discharged by the learned Special Judge, Incharge of the matters under the Prevention of Corruption Act, 1988. He was for all practical purposes held guilty by the Enquiring Officer in the DE. The submission of the said report of the Enquiring Officer was in the month of January this year (2017). It appears that the disciplinary authority viz. The District Collector, Thane is yet to make the final orders thereon. Regard being had to the facts such as they are, I am of the opinion that the said function should be completed by the Collector, Thane within the time bound schedule. The learned PO informed on instructions that there is some other delinquent also in whose case, the report of the Enquiring Officer has not been received so far. In my opinion, even if that be so, the case of the Applicant be segregated and orders be made in case of the present Applicant within a period of one week from today. The PO is requested to make sure that on the next date of hearing, the progress in the matter is informed so that I can proceed further in this OA.</p> <p>S.O. to 14th September, 2017. Handast. Stenography allowed.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 06.09.2017</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.295 OF 2017

DISTRICT : N' MUMBAI

Mr. S.B. Nandgaonkar.)...**Applicant**

Versus

1. The State of Maharashtra & 2 Ors.)...**Respondents**

Mrs. Punam Mahajan, Advocate for Applicant.

Mr. N.K. Rajpurohit, Chief Presenting Officer for Respondents.

P.C. : R.B. MALIK (VICE-CHAIRMAN)

DATE : 06.09.2017

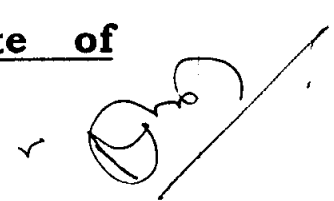
ORDER

1. Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Chief Presenting Officer (CPO) for the Respondents.



2. The learned CPO is being instructed by Mr. Prabhakar A. Khandagale, Head Clerk in the Office of the Commissioner of Police, Navi Mumbai.

3. I have perused the record and proceedings. It appears that the charge-sheet in the D.E. against the Applicant has been finalized and it will be furnished to him shortly. The charge-sheet in the Criminal Case has been laid before the Court of competent criminal jurisdiction on 4th March, 2017. The Applicant is under suspension for more than two years and this is hardly a situation to feel satisfied about. There are Judgments of the Hon'ble Supreme Court and the Hon'ble Bombay High Court which lay down the guiding principles in the matter of suspension pending Criminal Case/D.E. or both. At this stage, I may only mention that, it is not necessarily so that the suspension must continue because of the pendency of the Criminal Case and the D.E. Some of the Judgments may be noted herein for guidance of the concerned authorities i.e. **(i) State of Maharashtra & Ors. Vs. Shivram S. Sadawarte : 2001 (3) Mh.L.J. 249, (ii) Cap. Paul Anthony Vs. Bharat Gold Mines Limited : 1999 SCC (L & S) 810, (iii) O.P. Gupta Vs. Union of India : (1987) 4 SCC 328, (iv) Madanlal Sharma Vs. State of Maharashtra and others : 2004 (1) Mh.L.J. 581.**



4. The concerned authorities are, therefore, directed to convene the meeting of the Suspension Review Committee within a period of four weeks from today and take a decision with regard to the suspension of the Applicant in the light of legal position such as it obtains as a result of the above referred case law. The decision about the outcome be communicated to the Applicant within one week thereafter and this OA to appear on Board on 16th October, 2017. Hamdast.

Edl *alr*
6.9.17

(R.B. Malik)
VICE-CHAIRMAN
06.09.2017

Mumbai

Date : 06.09.2017

Dictation taken by :

S.K. Wamanse.

D:\SANJAY WAMANSE\JUDGMENTS\2017\9 September, 2017\O.A.295.17.doc

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 <u>O.A. No. 543 of 2017</u>
<p><u>DATE:</u> 6/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Shri/Smt. <u>A.J. Chougule</u> C.F.O./P.O. for the Respondent/s</p> <p>Adj. To <u>Present OA be</u> <u>tagged with O.A. 445/2017.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Ms. Pritika A. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2 and Shri S.S. Diwan, learned Advocate for Respondent No.3.</p> <p>2. Registrar is directed to enquire as to the reasons due to which service report in proper form is not made by the Registry. He shall identify the officer who has committed the fault and take suitable action against the concerned.</p> <p>3. Present OA be tagged with OA No 445 of 2017.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 6.9.2017</p> <p>(sgj)</p>

Smt. Shobhana U. Kadam

..Applicant

Vs.

The State of Maharashtra & Ors.

Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougale, learned Presenting Officer for the Respondents.

2. This Tribunal had passed order on 1.8.2017 as follows:

"Applicant shall secure order of notice from Registry."

3. Record does not show that AR has passed order in terms of standing directions.

4. Learned Advocate for applicant states that despite said position Registry has issued notice and it is served on the Respondents.

5. Registrar is directed to enquire as to the reasons due to which order of notice is not passed before issuing the notice and also as to reasons due to which the service report in proper form is not made by the Registry. He shall identify the officer who has committed the fault and take suitable action against the concerned.

6. Ld. PO has tendered affidavit in reply for the respondents no.1 to 3. It is taken on record.

7. For rejoinder and for report of Registrar, S.O. to 19.9.2017.

Sd/-

(A.H. Joshi (J.))

Chairman

6.9.2017

(sgj)

DATE: 6/9/2017

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. A.J. Chougale

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

Adj. To 19/9/2017. For rejoinder
and for report of Registrar.

LYE

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

O.A. No. 285 of 2017

Shri R.K. Padmane ..Applicant
Vs.
The State of Maharashtra & Ors ..Respondents

Heard Shri C.T. Chandratre, learned Advocate
for the Applicant and Miss Savita Suryawanshi, learned
Presenting Officer for the Respondents.

2. Removed from board in view that the affidavit of
service is not filed.

Sd/-

(A.H. Joshi, J.)
Chairman
6.9.2017

(sgj)

DATE: 6/9/2017

CORAM:

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

APPEARANCE:

Shri/Smt. C. T. Chandratre

Advocate for the Applicant

Shri/Smt. S. Suryawanshi

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

ad to Removed from board
in view that the affidavit
of service is not filed.

BTE

IN

Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A. No.445 of 2017

Ms. Sheetal P. Rana

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

None for the Applicant. Heard Shri N.K. Rajpurohit, learned Chief Presenting Officer for Respondents No.1 & 2 and Shri S.S. Diwan, learned Advocate for Respondent No.3.

2. Liberty to circulate after applicant files affidavit of service and upon intimation to the respondents about the circulation.

3. Removed from board.

(sgj)

Sd/-

(A.H. Joshi, J.)
Chairman
6.9.2017

JKM

DATE: 6/9/2017

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. : None for the appl.

Advocate for the Applicant

Shri/Smt. : N.K. Rajpurohit

C.P.O./P.O. for the Respondent/s 1 & 2.

Adv. S.S. Diwan for R. 1 & 2.

Adv. to Removed from board.

Handwritten signature/initials

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

O.A. No. 333 of 2017

Col. P.N. Dhole & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri J.M. Puranik, learned Advocate for
the Applicants and Miss Savita Suryawanshi, learned
Presenting Officer for the Respondents.

2. Removed from board in view that the objections
are not removed.

Sd/-

(A.H. Joshi, M)
Chairman
6.9.2017

DATE :

6/9/2017

CORAM :

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

APPEARANCE :

Shri/Smt. : J.M. Puranik

Advocate for the Applicant

Shri/Smt. : S. Suryawanshi

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

Adj. To. : Removed from board
in view that the objections
are not removed.

(sgj)

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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

O.A. No.1105 of 2016

Shri A.C. Rane & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant states that this case pertains to jurisdiction of Single Judge, and hence let the case come up for hearing before Single Judge.

3. Registrar shall verify and list the case before appropriate bench.

DATE: 6/9/2017

CORAM:

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

Hon'ble Shri M. Bandishkumar (Member) A

APPEARANCE:

Shri/Smt: B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt: N.K. Rajpurohit


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

Adv To Registrar shall verify and list the case before appropriate bench.

B.A.

(sgj)

Sd/-

(A.H. Joshi, )
Chairman
6.9.2017

Shri M.D. Lonkar

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. This case was heard in the morning session. Ld. PO prays for time for MPSC to file reply. This Tribunal wanted to know the reasons due to which the time is required. Shri Sanjay Pandurang Deshmukh, Under Secretary, MPSC was present. He was called to state the reasons for need of time. He express inability to disclose. On enquiry he was called to state whether he knows the facts of the case and points involved. To this question also he replied in negative. The negligent attitude is wholly undesirable and condemnable, because officers come to the Tribunal without proper preparation and even without reading the case. The case was adjourned to find out as to whether the officer feels apologetic for his negligence.


3. In the afternoon when the case was called out Shri Sanjay Pandurang Deshmukh, Under Secretary, MPSC has tendered explanation and apology. It is taken on record.

4. Shri Lonkar, Ld. Advocate for the applicant says that question involved in this OA is encompassed in the point narrated in para 7.10 averred at page 17A & 17B, and it shall suffice if MPSC responds to these averments, apart from MPSC's reply, if any, to other averments.

5. Ld. PO prays for 2 weeks time for filing reply. In view of the request of Ld. PO adjourned to 19.9.2017.

6. Hamdast and steno copy is granted. Ld. PO is directed to communicate this order to the respondents.

Sd/-

(A.H. Joshi, 
Chairman
6.9.2017

(sgj)

DATE: 6/9/2017

CORAM:

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

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

APPEARANCE:

Shri/Smt: M.D. Lonkar

Advocate for the Applicant

Shri/Smt: K.B. Bhise

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

Adj. To: 19/9/2017

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

Tribunal's orders

Date : 06.09.2017.

O.A.No.579 of 2017

S.D. Pagare

....Applicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. The arguments in this part heard matter are going on. Impugned transfer order is issued by the Divisional Forest Officer, Respondent No.3. As the issue is being debated it has become necessary to seek clear understanding with regard to the following facts at issue.
3. Respondents are directed to place on record documentary evidence to show as to who is the competent transferring authority in accordance with Section 6, Table (c) of Transfer Act and also submit on record list of competent authorities published under Section 7 thereof, if there is no document in that behalf it must be made clear that there is no such document and if the documents are there, the same must be produced.
4. Compliance be made on 08.09.2017 on which day this O.A. shall be heard further.
5. S.O. to 08.09.2017.

DATE: 6/9/17

CORAM:

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

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri K.R. Jagdale

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. D.

S.O. to 8/9/17

PH

@/ca/

Sd/-

6.9.17
(R.B. Malik)
Vice-Chairman

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>DATE: <u>6/9/17</u></p> <p>CORAM: Hon'ble Shri. RAHVAGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) (Vice-Chairman)</p> <p>APPEARANCE: Shri. Punam Mahajan Advocate for the Applicant Shri. Sant. N.K. Rajpurohit C.P.O./P.O. for the Respondents</p> <p>Adj. To <u>S.O. to 7/11/17.</u></p> <p style="text-align: right;">@ccf</p>	<p style="text-align: center;"><u>O.A.805/2017</u></p> <p>Mr. S.A. Kamble ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>Heard Mrs. Punam Mahajan, the learned Advocate for the Applicant and Mr. N.K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>Without prejudice to the rights and contentions of both the sides, as of now, I direct that the representation referred to in Para 10(a), the OA be decided within a period of six weeks from today.</p> <p>Issue notice made returnable on 07.11.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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>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>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 four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 7th November, 2017. Hamdast.</p> <p style="text-align: right;">Sd/- <u>6-9-17</u> (R.B. Malik) Member (J) 06.09.2017</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p><u>DATE:</u> 6/9/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri P. B. MALIK (Member) (Vice-Chairman)</p> <p><u>APPEARANCE:</u> Shri. R.R. Ved Advocate for the Applicant Shri. A.J. Chougule C.P.O./P.O. for the Respondents</p> <p>Adj. To..... 25/9/17</p> <p style="text-align: right;">PH <i>[Signature]</i></p>	<p>Date : 06.09.2017.</p> <p>O.A.No.997 of 2016</p> <p>C.R. NetkeApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.R. Ved, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri R.R. Ved on instructions from the Applicant informs that in this O.A. there is no challenge to the validity of the D.E. which went under way against the Applicant. He adds that the said D.E. was closed.</p> <p>3. In so far as the issue of delay in the grant of provisional pension is concerned, after some debate at the bar learned Advocate request that sometime be given for him to seek amendment to the O.A. by way of appropriate M.A. His request is granted and the O.A. stands adjourned to 25.09.2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) 6-9-17 Vice-Chairman</p> <p>prk</p>

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(G.C.P.) J 2280(B) (50,000-2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>DATE: <u>6/9/17</u></p> <p>CHAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri. R. B. MALIK (Member) (Vice-Chairman)</p> <p>APPEARANCE:</p> <p>Shri. <u>R. M. Kolge</u></p> <p>Advocate for the Applicant</p> <p>Shri. <u>Ms. S. Suryawanshi</u></p> <p>C.P.O./P.O. for the Respondents</p> <p>Adj. To. <u>12/9/17</u></p> <p>PH <i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A.211/2017</u></p> <p>Mr. A.B. Nimbalkar ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>Heard Mr. R.M. Kolge, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>Mr. Kolge's arguments have concluded. The Applicant is directed to place on record a Chart showing precisely the claim of interest on the allegedly delayed payment of pension duly quantified on 12th September, 2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 06.09.2017</p> <p>(skw)</p>

(G.P.) J 1160(B) (50,000-1-2018)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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O.A.218/2017

Mr. U.V. Deshmukh ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

The orders below application dated 31.8.2017. That matter was mentioned in my Chamber on 31st August, 2017. The Applicant with Ms. Krutika M. Patil, Law Officer had appeared though belatedly, and therefore, in as much as the application was presented on the same day, I accept the cause assigned and recall the order of imposition of cost. There is no adversity visiting thereby. The said application is allowed with no order as to costs.

DATE: 6/9/17

CORAM:

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

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri. A.V. Bandiwadekar

Advocate for the Applicant
Shri/Smt. Ms. S. Suryawanshi

C.P.O./P.O. for the Respondents
Order passed in the

Tribunal's column.
Adj. To

(skw)

Sd/-

(R.B. Malik)
Member (J)
06.09.2017

1.7
17

(G.C.P.) J 2260(B) (50,000-2-2015)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

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<p>DATE: <u>6/9/17</u></p> <p>CORAM: Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) (Vice-Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>B.S. Shinde</u> Advocate for the Applicant Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondents</p> <p><u>M.A. is allowed.</u></p>	<p>Date : 06.09.2017.</p> <p>M.A.No.362 of 2017 in O.A.No.96 of 2016</p> <p>S.G. KumavatApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.S. Shinde, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. The proposed amendment seeks to incorporate the facts that have occurred pending the O.A. It survives the tests of law of amendments and it is accordingly allowed. Amendment be carried within a period of one week from today. The consolidated copy of the O.A. after amendment be filed and copy be furnished to learned P.O. for him to file affidavit-in-reply / additional affidavit-in-reply.</p> <p>3. M.A. is allowed in these terms with no order as to costs.</p> <p style="text-align: right;">Sd/- <u>(R.B. Malik)</u> Vice-Chairman.</p> <p style="text-align: center;">prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**C.A.No.45 of 2017 in O.A.No.72 of 2011****V.S. Mane****....Applicant.****Versus****The State of Maharashtra & Ors.****.....Respondents.**

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

Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 06.09.2017

ORDER

1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Shri K.B. Bhise, the learned Presenting Officer for the Respondents states as follows :-

Written instructions in the form of a copy of letter sent by the Government to the Director, Medical Education and Research, Mumbai are received. It contains as follows :-

"An amount of Rs.94,04,050/- would be deposited in this Tribunal subject to outcome of the Review Petition filed by the State before the Hon'ble High Court."
3. It is seen that the amount of gratuity and amount of revised pension cannot be withheld on whatever ground. Therefore it shall be appropriate to pay these two amounts to the Applicant directly, by crediting those dues into the account of the Applicant.
4. In so far as amount towards arrears and Pay & Allowance are concerned let that amount be deposited in this Tribunal, which shall be kept in fixed deposit for 90 days.

5. In the event any order of stay of disbursement is not produced by the State within 90 days the amount which is deposited shall be payable to the applicant by R.T.G.S. or N.E.F.T. by the Registrar of this Tribunal.

6. In case any order of stay is received, the fixed deposit may be renewed year to year basis, in absence of contrary orders as regards renewal.

7. For reporting compliance, adjourned to 11.09.2017.

8. Steno copy and Hamdast is allowed.



Sd/-

(A.H. Joshi, J.)
Chairman

prk

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**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><u>DATE:</u> 6/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Kameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt.: B.A. Bandiwadker Advocate for the Applicant Shri/Smt.: K.S. Gaikwad C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 20/9/2017. Hamdast & steno copy is granted granted</p>	<p><u>O.A. No.1095 of 2016</u></p> <p>Shri B.S. Killedar & Ors. .Applicants Vs. The State of Maharashtra & Ors. .Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO has tendered affidavit answering the OA. It is taken on record.</p> <p>3. Ld. PO prays for two weeks time to file affidavit answering notice of show cause against cost.</p> <p>4. By way of last chance time is granted till 20.9.2017.</p> <p>5. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 6.9.2017</p> <p>(sgj)</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><u>DATE:</u> <u>6/9/2017</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri H. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>None for the appl.</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p><u>rd. to: If service is done, S.O. to 31/10/17.</u></p> <p style="text-align: right;"><i>File</i></p>	<p><u>O.A. No. 627 of 2017</u></p> <p>Smt. S.B. Kare & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>None for the Applicant. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Removed from board in view that the applicants have failed to take steps to serve the respondents.</p> <p>3. If service is done, S.O. to 31.10.2017. In case service is not done within 6 weeks, OA shall stand dismissed without further reference to this Tribunal.</p> <p style="text-align: right;">Sd/- <i>(A.H. Joshi, J.)</i> Chairman 6.9.2017</p> <p>(sgj)</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 19/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Sri M. Rameshkumar (Member)-A</p> <p><u>APPEARANCE:</u> Sri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant Sri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>20/9/2017</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>O.A. No.1006 of 2016</u></p> <p>Shri S.D. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that the affidavit in reply at page 84A onwards be struck off and time be granted for filing fresh affidavit i.e. reply to amended OA.</p> <p>3. Leave to file fresh reply is granted.</p> <p>4. Affidavit on record at pages 84-A to 108 (both inclusive) be struck off/removed and be kept in 2nd Part.</p> <p>5. S.O. to 20.9.2017,</p> <p align="right">  Sd/- <i>lm</i> (A.H. Joshi, J.) Chairman 6.9.2017 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


I N

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> <u>6/9/2017</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A-</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>Punam Mahajan</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N. F. Gohad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>14/9/2017. Hamdast and steno copy is allowed.</u></p> <p style="text-align: right;"><u>File</u></p>	<p><u>O.A. No.92 of 2017</u></p> <p>Dr. M.S. Bhadke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO adjourned to 14.9.2017 including for appearance of Shri Pradeep Vyas. He need not appear if corrective action is taken.</p> <p>3. Hamdast and steno copy is allowed. Ld. PO is directed to communicate this order to the respondents.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman 6.9.2017</p> <p>(sgj)</p>

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 6/9/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice Shri M. S. ... (Member) A</p> <p><u>APPEARANCE:</u> Shri A.D. Aghew # with Shri C.T. Chandratre Ld. (O.A. 271/17) Shri D.V. Sutar Ld. Adv. for C.P.O. for the App. (O.A. 534/17) As to Shri K.B. Bhise Ld. P.O. with Shri N.K. Rajpurohit, Ld. C.P.O. for Resps. S.O. to 19/9/2017.</p> <p style="text-align: right; margin-top: 20px;"><i>prk</i></p>	<p>Date : 06.09.2017.</p> <p style="text-align: center;">O.A.No.271 of 2017 with O.A.No.534 of 2017</p> <p>R. Deshmukh (O.A.No.271/2017) S.P. Ingale (O.A.No.534/2017)</p> <p style="text-align: right;">....Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.D. Aghav, the learned Advocate with Shri C.T. Chandratre, the learned Advocate for the Applicants in O.A.No.271/2017, Shri D.V. Sutar, the learned Advocate for the Applicant in O.A.No.534/2017 and Shri K.B. Bhise, the learned Presenting Officer with Shri N.K. Rajpurohit the learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri K.B. Bhise, the learned P.O. with Shri N.K. Rajpurohit the learned C.P.O. for the Respondents prays for time to file affidavit-in-reply answering the queries contained in the order passed by this Tribunal on 07.07.2017.</p> <p>3. By way of last chance, S.O. to 19.09.2017.</p> <p style="text-align: right; margin-top: 20px;">  Sd/- (A.H. Joshi) Chairman </p> <p style="margin-top: 20px;">prk</p>

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

Tribunal's orders

Date : 06.09.2017.

O.A.No.678 of 2017

A.S. Mane

....Applicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.

2. By the order dated 26.07.2017 necessary directions were given to consider the request of the Applicant in sympathetic manner. The said representation is now being rejected and this request for amendment of the O.A. arises in that context.

3. Regard being had to the facts and circumstances formal written M.A. is dispensed with. The amendment as herein sought is allowed to be carried out within the period of two working days from today. Consolidated copy of the O.A. after amendment be filed and amended copy be furnished to the learned P.O. for him to file affidavit-in-reply / additional affidavit-in-reply.

4. ^{Interim} Today relief granted by the above referred to order is continued till the date next to the filing of affidavit-in-reply.

5. O.A. stands adjourned to 20.09.2017. Hamdast.

Sd/-
(R.B. Malik)
Vice-Chairman

prk

DATE: 6/9/17

CORAM:

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

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri. ~~M.D. Lonkar~~ ^(Vice-Chairman)

Advocate for the Applicant

Shri. ~~A.J. Chougule~~

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

Adj. To 20/9/17

Hamdast.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./~~R.A./C.A.~~ No. 355/17 of 2017

^{IN}
D.A. 24/16 In
Original Application No. 356 of 2012

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>6/9/17</u></p> <p>CORAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member)</p> <p>APPEARANCE:</p> <p>Shri/Smt. N.K. Raychowdhari CPO Advocate for the Applicant</p> <p>Shri/Smt. A.S. Gaikwad C.P.O./T.O. for the Respondent</p> <p>Adj. To order passed in the Tribunal's column. S.O. to 15/9/17.</p> <p><i>[Signature]</i></p>	<p><u>6/9/17</u></p> <p>Mentioned by Adv. A.S.G. for Respondent. Coram Application R.A. 24/16.</p> <p>Matter ^{be} placed before Honble 1st Division Bench/s Bench.</p> <p>S.O. to 15/9/16.</p> <p>Sd/-</p> <p><i>[Signature]</i> C.R.B. MAL VICE-CHA</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. 331/2017 of 20
B. J. Bagul
(Advocate R. M. Kolge)

DISTRICT Applicant/s

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

Heard.

Admit. Prays for interim is
refused on the ground that
defence to charge sheet is being
put forward as ground for
challenge.

Let the enquiry proceed, including
passing of final orders

Q

Sd/-
[Signature]
5/9/2017.

DATE: 6/9/2017
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramasubramanian (Member) A
APPEARANCE:
Shri/Smt. R. M. Kolge
Advocate for the Applicant
Shri /Smt. A. J. Chougale
C.P.O / P.O. for the Respondent/s
Adj. To Admit.

B.T.