

**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>7/2/19</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri <u>B. A. Bandiwadekar</u> Advocate for the Applicant Shri <u>Ms. S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To... <u>14/2/2019 at the request</u> <u>of Ld. C.P.O.</u></p> <p style="text-align: right;"><i>MZ</i></p>	<p style="text-align: center;"><u>O.A. No.645 of 2018</u></p> <p>P.S. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 14.2.2019.</p> <p style="text-align: right;">Sd/- <i>(P.N. Dixit)</i> Member (A) 7.2.2019</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 07.02.2019.</p> <p>O.A.No.78 of 2019</p> <p>G. P. NaikApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Ms S. Suryawanshi holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on the post of Assistant Sub-Inspector of Police on 31.08.2017 but till date no pensionary benefits have been released. Therefore, he has approached this Tribunal. As per the order passed by this Tribunal on 23.01.2019. The hurdle seems to be the regularization of suspension period from 31.10.1992 to 05.02.1996. Therefore, the matter was expedited and adjourned for today to comply the order of this Tribunal about delay in processing the pension papers.</p> <p>3. Today, Smt. Namrata Dave, Sr. Clerk, Joint Commissioner of Police (Traffic), Mumbai is present. She submitted that the proposal is under process and it will be finalized soon. She has also tendered a letter dated 01.02.2019 issued by the Additional Commissioner of Police to Deputy Commissioner, Armed Police, Naigaon to take appropriate steps in the matter. It seems that at the time of suspension, he was attached to Armed Police, Naigaon, therefore, certain compliance is to be done by the Respondent No.3 i.e. the Deputy Commissioner of Police, Armed Force, Naigaon. The fact remains that at the time he retired from the office of Joint Commissioner of Police (Traffic), Worli (Resp.3), It is responsibility of the Respondent No.3 to get the compliance done and to release the pension. The laxity and inaction on the part of Respondent No.3 is quite visible. If the payment of the retiral benefits is not released, the department will have to pay it with interest and the same will be recovered from the person responsible for the delay. This should be noted by the Respondent No.3.</p> <p>4. In view of above, on the request of the learned P.O. two weeks time is granted to finalise the pension papers.</p> <p>5. Haridast and steno copy is allowed.</p> <p>6. S.O.to 21.02.2019.</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 Court, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 07.02.2019.
<p>DATE: 7/2/19</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishna (Member) A P.N. Dixit</p> <p>APPEARANCE: Shri/Smt. : A.V. Bandiwadkar Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: Head order passed in Tribunal column with above observations, present O.A is disposed of.</p>	<p>O.A.No.210 of 2018 (Subject : Promotion)</p> <p>S.M. JadhavApplicant. 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 Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents has tendered the copy of promotion order dated 06.02.2019. Opening paragraph thereof reads as follows :-</p> <p style="text-align: center;">"आदेश</p> <p>सहायक पोलीस निरीक्षक संजय महादेश जाधव यांनी त्यांना पोलीस निरीक्षकपदी पदोन्नती मिळण्याबाबत मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, मुंबई खंडपिठासमक्ष मूळ अर्ज क्र.२१०/२०१८ व संकीर्ण अर्ज क्र.५९७/२०१८ दाखल केले असून त्यामध्ये मा. न्यायाधिकरणाने त्यांचे प्रकरणात १० दिवसांत विभागीय पदोन्नती समितीची बैठक घेऊन निर्णय घेण्याबाबत दिनांक १२/१२/२०१८ रोजी आदेशित केले आहे. सदर आदेशानुसार सहायक पोलीस निरीक्षक संजय जाधव यांची पोलीस निरीक्षकपदी पदोन्नतीसाठी सन २०१८-१९ च्या निवडसूचीवर पात्रापत्रता तपासण्याकरीता त्यांचे प्रकरण विभागीय पदोन्नती समिती समोर सादर करण्यात आले. त्या अनुषंगाने सहायक पोलीस निरीक्षक संजय महादेश जाधव हे पदोन्नतीस पात्र ठरले आहेत."</p> <p style="text-align: right;">(Quoted from letter dated 06.02.2019)</p> <p>3. Though promotion order is temporary in view of regular selection format of order shall not matter.</p> <p>4. Applicant agitated the question relating to seniority. Applicant will have to wait and represent for the same.</p> <p>5. With above observations, present O.A is disposed of.</p> <p>6. In view of affirmative action by the Government we have no occasion to deal with the merits of the matter which are kept open particularly as regards seniority.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</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> 31/19</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishna (Member) A P. N. Dixit</p> <p><u>APPEARANCE:</u> Shri/Smt. : <u>B.V. Daulico-Jethva</u> Advocate for the Applicant Shri/Smt. : <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>In view of order passed today, M.A. 597/18 is disposed of.</u></p>	<p>Date : 07.02.2019.</p> <p>M.A.No.597 of 2018 in O.A.No.210 of 2018</p> <p>5.M. JadhavApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for Respondents.</p> <p>2. In view of order passed today, M.A.No.597/2018 is disposed of.</p> <p>Sd/-</p> <p>(P.N. Dixit) Member(A)</p> <p>prk</p> <p>Sd/-</p> <p>(A.H. Joshi, J) Chairman</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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Date : 07.02.2019.

O.A.No.777 of 2017
(Subject : D.E.)

R.P. ValviApplicant.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for Respondents.

2. Shri D.V. Godbole, the learned Advocate for the Applicant is absent.

3. Dismissed for want of prosecution.

Sd/-

(P.N. Dixit)
Member(A)

Sd/-

(A.H. Joshi,
Chairman

prk

DATE :

CORAM :

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

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

APPEARANCE :

Shri/Smt. : D.V. Godbole

Advocate for the Applicant his absced

Shri/Smt. : P.S. Gellalwar

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

Adj. Ta. : Dismissed for want
of prosecution.

2

(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 : 07.02.2019.</p> <p>O.A.No.216 of 2016</p> <p>A. P. Charate Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. None for the Applicant. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The matter is of 2016 and needs to be decided expeditiously. However, the Applicant and his Advocate are absent.</p> <p>3. On the request of learned P.O. for the Respondents, the matter is adjourned on 08.02.2019.</p> <p>4. S.O. to 08.02.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(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 : 07.02.2019.</p> <p>O.A.No.72 of 2018</p> <p>A. M. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. G. Bagkar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. In view of the order passed in M.A.No.54/2019, this O.A.No.72/2018 is restored to the file. It be kept for hearing at the stage of admission on 07.03.2019.</p> <p>3. S.O. to 07.03.2019.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(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 Date : 07.02.2019.
	<p style="text-align: center;">M. A. No.54 of 2019 in O.A.No.72 of 2018</p> <p>A. M. PatilApplicant</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. G. Bagkar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.2. This Misc. Application has been filed to restore the O.A.No.72/2018 which has been dismissed in default on 02.01.2019.3. Learned Advocate for the Applicant submitted that because of mistake of the Counsel, the matter has been dismissed in default. He further stated that the Advocate was not aware about the date of hearing and, therefore, could not remain present. He, therefore, prays to restore the O.A. No.72/2018 to decide the matter on merit.4. For the reasons stated above, Misc. Application is allowed and O.A. No.72/2018 is restored to the file.5. Misc. Application is disposed of accordingly. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: center;">vsm</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 : 07.02.2019.</p> <p>O.A.No.114 of 2019</p> <p>R. V. NikamApplicant</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. In the present O.A. directions are sought to release the retiral benefits to the Applicant who stands retired in 2016.</p> <p>3. Shri A. V. Bandiwadekar, learned Advocate for the Applicant pointed out that the O.E. initiated against the Applicant at the verge of retirement is now completed and as per the information under RTI Act, charges heid not proved. As such, according to him despite clean chit in D.E. no decision has been taken by the Disciplinary Authority and, therefore, the Applicant has been deprived of getting retiral benefits.</p> <p>4. Ms N. G. Gohad, learned P.O. for the Respondents seeks two weeks time to take instructions.</p> <p>5. in view of above, learned P.O. is directed to take instructions from the Respondent Nos.1 and 2 to know why the retirement dues of the Applicant are withheld for more than two year as prima-facie, there seems to be no hurdie in releasing the same.</p>

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6. The Respondent No.1 is also directed to depute concerned responsible officer from his office to remain present with concerned file and inform the Tribunal about the issue raised above.

7. Issue notice before admission returnable on 21.02.2019.

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

9. 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.

10. 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.

11. 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.

12. In case notice is not collected within three 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.

13. S.O. to 21.02.2019

Sd/-

(A.P. Kurhekar)
Member(J)

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 : 05.02.2019.</p> <p style="text-align: center;">O. A. No. 97 of 2019</p> <p>A. H. ChandekarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam holding for Shri P. Patil, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. At the very outset, it needs to be mentioned that, the facts disclosed from the application are quite unusual and shocking. The Applicant has filed the proceeding for directions to allow him to join as Senior Grade Stenographer in the office of Additional Commissioner, Tribal Development, Thane. By order dated 27.06.2018 (page 15 of the Paper Book), he was immediately relieved and was directed to approach the Commissioner, Tribal Development, State of Maharashtra, Nashik for his posting. As nothing has been done about giving posting, he has approached this Tribunal by filing this application on 29.01.2019. In the meantime, he made various representations for giving posting and allowing him to join the service but in vein.</p> <p>3. Regret to note that despite issuance of letter issued by the Government dated 25.09.2018 (page 21 of PB), the Commissioner, Tribal Development Nashik did not take any step in this regard. It is on this background, the Applicant has approached this Tribunal by filing this application.</p> <p>4. Today, Shri Shaikh Mustak Abdul Gani, Deputy Commissioner, Tribal Development Dept., Thane is present. He is the same person who has issued the impugned order dated 27.06.2018, whereby the Applicant was abruptly relieved without giving him posting. He stated that the order dated 27.06.2018 has been passed as per the instructions of the Additional Commissioner.</p>

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5. It is really surprising that, for six months, the Applicant was kept without giving posting. If there was any necessity of transfer, then it should have been done in accordance to law with further posting of the Applicant. However, here the Applicant has been simply relieved without giving him posting. As such, the Applicant was kept without posting for more than six months for no fault on his part.

6. Today, the learned P.O. has tendered a letter dated 04.02.2019, which shows that now the posting has been given to the Applicant at Pune and he joined on 28.01.2019. In the letter, it is further stated that the question of payment of salary for the period from 27.06.2018 to 28.01.2019 has arisen. The proposal will be called from Pune to regularize the same and to make the payment of his allowances. For this purpose, one month's time is sought.

7. Thus, the Respondent No.1, the Commissioner, Nashik has now realized that the problem of payment of salary and regularization of service which should have been avoided by issuing appropriate order of posting before issuance of order of relieving. Legally speaking, there should be first transfer order followed by the relieving order which is not done in the present matter. Because of this mess, the Applicant has been kept without posting for more than six months and now the department will be required to pay his salary without work. It is waste of public money and the loss to the Government Ex-checker. In such situation the salary for such period needs to be borne by the person who is responsible for this mess.

9. In view of above, Respondent No.2 i.e. Additional Commissioner is directed to file Affidavit-in-Reply to explain above aspect, so that further decision can be rendered by this Tribunal. Affidavit be filed within two weeks.

10. S.O. to 20.02.2019.

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

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 : 06.02.2019.</p> <p style="text-align: center;">O. A. No.31 of 2019</p> <p>Y. R. HansaleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the challenge is to the suspension order dated 23.02.2018 whereby the Applicant was kept under suspension in contemplation of D.E. (Departmental Enquiry). Thereafter, the Applicant has made various representations for revocation of suspension or reinstatement in service but in vein. (Representations are at page nos.53, 55, 57, 59 of the Paper-Book). Despite these representations, no decision was taken and, therefore, the Applicant has been constrained to file this O.A. invoking the jurisdiction under section 19 of the Administrative Tribunals Act, 1985.</p> <p>3. Learned Advocate for the Applicant submitted that though the period of more than one year is going to expire, the Respondents are not taking any decision about the revocation of suspension and, therefore, in view of the law laid down by the Hon'ble Supreme Court in (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.) is illegal. He, therefore, pointed out that there is no compliance of G.R. dated 14.10.2011 whereby in case of suspension in contemplation of D.E. , the Competent Authority is required to take decision about continuation of suspension after three months. It further provide that if, the D.E. is not completed within six months then the Competent Authority can reinstate the delinquent on non-executive post so that he should not interfere in the D.E.</p> <p style="text-align: right;">[P.T.O.]</p>

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

Tribunal's orders

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4. So far as the fact of present case, admittedly, till date no D.E. is initiated and the department is sitting over the matter, which is contrary to law.

5. Shri A. J. Chougule, learned P.O. submitted that the issue of revocation of suspension is under consideration before the Hon'ble Minister and the decision will be taken within two weeks.

6. In view of above, the Original Application can be disposed of with suitable directions.

7. The Original Application is disposed of with directions to the Respondents to take appropriate decision on the issue of suspension of the Applicant within four weeks from today and the decision as the case may be, be communicated to the Applicant within one week thereafter.

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

9. Hamdast and steno copy is allowed.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 07.02.2019. Tribunal's orders

O.A.No.39 of 2019

K. V. PatilApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In the present matter, the challenge is to the transfer order dated 20.06.2018 whereby the applicant was working as Assistant Commissioner of Police, Navi Mumbai has been transferred to Brihanmumbai.

3. Learned Advocate for the Applicant submitted that in view of the order passed by the Tribunal in O.A. No.518/2018 decided by the Hon'ble Chairman on 19.10.2018, the issue involved in the present matter about validity of the impugned order is no more open to debate. He has pointed out that in O.A.No.518/2018, the legality and validity of the same PEB was in question and the constitution of PEB held invalid and on that ground, the O.A. was allowed. He, therefore, urged that now no defence is open to the respondents and they should have in fact taken remedial measures, if desire.

4. Whereas, the learned C.P.O. sought two weeks time to take instructions from the department about the remedial measures, if any taken and to apprise the Tribunal on the next date.

5. Lastly, two weeks time is granted.

6. S.O. to 21.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 07.02.2019.</p> <p style="text-align: center;">O. A. No.90 of 2019</p> <p>S. B. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. G. Bagkar, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.2. issue notice before admission returnable on 07.03.2019.3. 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 07.03.2019. <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>Date : 07.02.2019.</p> <p>O.A.No.07 of 2019</p> <p>S. T. RathodApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. In the present matter, the applicant is seeking direction to release the retiral benefits which seems to have been not paid despite his retirement on 28.02.2018.3. Learned P.O. on instruction from Shri Sanjay Talekar, Sr. Clerk, Deputy Superintendent of Land Records, Mumbai submitted that because of pendency of D.E., pension is not finally processed.4. The D.E. was initiated on 26.02.2018 just before two days of the retirement of the Applicant. In view of the retirement of the Applicant, the D.E. was required to be completed latest within six months. However, still it is pending5. The Applicant has already submitted his reply to the charge sheet. Enquiry Officer has been appointed on 25.09.2018. However, there is no further progress in D.E.6. In view of above, this Original Application needs to be disposed of with suitable directions.7. Original Application is disposed of with directions to the Respondents to complete the D.E. including passing of final order within three months from today.8. The Respondents are further directed to release provisional pension as well as retiral dues as per his entitlement within one month from today.9. The Applicant is also directed to co-operate for expeditious conclusion of D.E.10. On conclusion of D.E., the retiral dues as per his entitlement, after decision in D.E. be released within one month thereafter.11. Hamdast and steno copy is allowed. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(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.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 07.02.2019.</p> <p>O. A. No.965 of 2017</p> <p>S. P. Shivalkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Sonali Humane holding for Smt. R. Todankar, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent Nos.1 to 5. It is taken on record.</p> <p>3. Here it is important to note that, earlier the Respondents have filed the copy of their Affidavit-in-Reply in O.A.No.1090/2017 on the assumption that common reply would be enough. However, that time no thought was given to examine the pleadings of the present matter. This was brought to the notice of learned P.O. by the Tribunal in order dated 16.01.2019. It is on this background, the learned P.O. has filed fresh Affidavit-In-Reply.</p> <p>4. As the pleadings are complete, the matter is admitted and adjourned for final hearing on 01.03.2019.</p> <p>5. S.O. to 01.03.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(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: <u>7/2/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Ramesh Kumar <u>P. N. Dixit</u> (Member) A</p> <p>APPEAR:</p> <p>Applicant and Advocate for the applicant are absent <u>Shri S. P. Manchar</u> C.P.O./P.C. for the Respondent/s</p> <p>Adj. To <u>11/2/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.166 of 2018</u></p> <p>S.P. Jedhe ..Applicant</p> <p style="text-align: center;">Vs.</p> <p>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. At the instructions of Ld. CPO adjourned to 11.2.2019 to obtain instructions in the matter.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 7.2.2019</p> <p>(sgl)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>7/2/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. K. Manohar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Applicant and Advocate for the applicant are absent.</u> Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar.</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>Admit.</u></p> <p style="text-align: right;"><i>SGJ</i></p>	<p style="text-align: center;"><u>O.A. No.641 of 2017</u></p> <p>S.S. Shirapure ..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. Reply has been filed.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 7.2.2019</p> <p>(sgj)</p>

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

O.A. No.1062 of 2017

G.A. Palve & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri M.V. Thorat, learned Advocate for the Applicants and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant produces a communication dated 5.2.2019 addressed to the Ld. CPO which states as under:

“२) महाराष्ट्र लोकसेवा आयोगाने त्यांच्या उक्त पत्रान्वये दिलेल्या निर्देशानुसार या प्रकारणी सामाजिक न्याय विभाग, सामान्य प्रशासन विभाग तसेच विधी व न्याय विभागाचे अभिप्राय घेण्यात आले आहेत. सदर विभागांची दिलेल्या अभिप्रायांनुसार जाहिरात क्रमांक २४/२०१७ च्या अनुषंगाने सुधारीत गुणवत्ता यादी शासनास सादर करण्याबाबत महाराष्ट्र लोकसेवा आयोगास दि. २९/०९/२०१९ च्या पत्रान्वये निर्देश देण्यात आले आहेत. (सदर पत्राची प्रत सोबत जोडली आहे) तथापी, अद्यापपर्यन्त आयोगाचे अभिप्राय शासनास प्राप्त झालेले नाहीत. आयोगाच्या अभिप्रायानंतर या प्रकरणी पुढील कार्यवाही करण्यात येईल.”

Copy of communication is taken on record and marked 'X' for identification.

3. The Ld. CPO states that communication would be obtained officially as she does not possess it at present. Ld. Advocate for the applicants prays that respondent no.2 may be directed to complete the process in time bound manner.

4. S.O. to 8.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
7.2.2019

(sgj)

DATE: 7/2/2019

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. M.V. Thorat

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj. To: 8/2/2019

P.N.
Dixit

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>7/2/19.</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. Advocate for the Applicant Shri/Smt. <u>N.K. Rajpurohit Spl. Counsel</u> C.P.O./P.O. for the Respondent/s <u>Savita Suryavanshi</u> Adj./S.O. to <u>13/2/19.</u></p>	<p>07.02.2019</p> <p><u>O.A No 317, 318, 319, 320 & 321/2017</u></p> <p>Shri V.P Rajput Shri A.S Shirsat Shri A.B Sonawane Shri S.Z Rite Shri H.M Hendre ... Applicants</p> <p>Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard applicants in person and Shri N.K Rajpurohit, learned Special Counsel with Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>2. Letter-Petition for transfer cannot be entertained. If applicants file Misc Application for transfer, it may be considered on merit.</p> <p>3. List O.As on 13.2.2019.</p> <p style="text-align: right;">  Sd/- (A.H Joshi, J) Chairman </p> <p>Akn</p>

(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>7/2/19</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>B. A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K. S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>H. C. D.</u></p> <p><u>C.A is disposed.</u></p> <p><u>[Signature]</u></p>	<p>07.02.2019</p> <p><u>C.A 28/2018 in O.A 199/2016</u></p> <p>Shri D.K Solanki & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadkar, learned Smt K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In view of compliance, C.A is disposed.</p> <p style="text-align: right;"><u>[Signature]</u> Sd/- (A.H Joshi/J.) Chairman</p> <p>Akn</p>