

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.336 OF 2018

Shri R.D. Akrupe.)...Applicant

Versus

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

Mrs. Punam Mahajan, Advocate for Applicant.

Ms. N.G Gohad, Presenting Officer for Respondents.

CORAM : A.P. Kurhekar (Member-J)

DATE : 07.03.2019

ORDER

1. Heard Mrs. Punam Mahajan, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. In the present O.A, the challenge is to the suspension order dated 19th March, 2018 whereby the Applicant was kept under suspension and the period of almost one year is completing.

3. When this matter was taken up for hearing on 19.11.2018, the learned P.O. made a statement that the issue of revocation of suspension and reinstatement of the Applicant in service is under consideration and the decision will be taken soon. On his request, the matter was adjourned to facilitate the Respondents to take decision soon.

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4. Again on 11.12.2018, when the matter was taken up for hearing, on the request of learned P.O, the matter was adjourned as the file was still under process with the Respondents. Then again, the matter came for hearing before the Tribunal on 17.01.2019. It was brought to the notice to the Tribunal by learned P.O. Shri A.J. Chougule that the Government has already taken decision to revoke the suspension of the Applicant on 28.11.2018. However, the posting order was not issued. Therefore, the matter was adjourned for issuance of posting order.

5. On 31.01.2019, when the matter was taken up for hearing, the learned P.O. made a statement that the orders are still awaited. Shri Hemant Mahajan, Under Secretary, Medical Education Department was present in the Tribunal and stated that the file is under process. As enough time was already availed by the Respondents, specific directions were given to Respondent No.1 on 31.01.2019, which are as follows :

“Respondent No.1 is directed to issue necessary orders in accordance to law within 7 days, failing to which necessary order on merit will be passed.”

6. Again on 12.02.2019, on the request of learned P.O. that the file is under process for issuance of posting order, the matter was adjourned with specific direction that no further time will be granted.

7. Thereafter, the matter was taken up for hearing on 22.02.2019, but again statement was made by learned P.O. that the posting orders are awaited. That day, Shri Hemant Mahajan, Under Secretary was present and made a statement that file for posting of the Applicant has been placed before the Hon'ble Minister on 06th/07th February, 2019, but the orders are not issued. Therefore, again the matter was adjourned to facilitate the issuance of posting order.

8. Today, the matter is taken up for hearing. However, till date, there is no compliance of the order passed by this Tribunal on 31.01.2019.

9. The learned P.O. Ms. N.G. Gohad fairly stated that the order dated 31.01.2019 has been communicated to Respondent No.1. She seeks time on behalf of Respondents for issuance of posting order. As enough time was already granted, I am not inclined to give more time, particularly when there is no compliance of the order passed by the Tribunal on 31.01.2019.

10. In view of the said order, the Respondent No.1 was under obligation to convey the decision, as the case may be, to the Tribunal, but simply ignored the direction given by this Tribunal and caused delay to the proceedings of this O.A. Despite the specific time limit and directions given by this Tribunal in order dated 31.01.2019, no compliance has been made, neither posting order has been issued nor any report explaining non-compliance has been submitted.

11. Today, Mr. Hemant Mahajan, Under Secretary is present and again made same statement that the file is under process.

12. As such, in view of order passed by this Tribunal on 31.01.2019 reproduced above, there is no compliance of the specific order. It seems that the Respondent No.1 has no regard to the orders of the Tribunal. Till date, period of more than 3 months are over, but still appropriate orders are not issued despite commitment by Shri Hemant Mahajan, Under Secretary. The act of making commitment before the Tribunal but not complying the same and thereby protracting the judicial proceeding amounts to interference in the proceedings.

13. In view of above, the Respondent No.1 is directed to explain on Affidavit, why the action for non-compliance of the order dated 31.01.2019 passed by this Tribunal should not be taken against him. The said Affidavit be filed within 15

days, so as to pass further order for non-compliance of the order passed by this Tribunal.

14. S.O. to 22nd March, 2019. Hamdast granted.

Sd/-

(A.P. KURHEKAR)
Member-J

SKW

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

Tribunal's orders

O.A.135/19

Shri L.R. Ghavate ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned P.O. for Respondents.

2. Issue notice returnable on 04.04.2019.

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 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.

8. S.O. to 4th April, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

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

Tribunal's orders

Date : 07.03.2019.

O.A.No.946 of 2018

B. D. PatelApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the present matter, the Applicant has challenged the impugned order of recovery and re-fixation of pension in view of the objections raised by the A.G.
3. Today, the learned P.O. for the Respondents has tendered a copy of order dated 21.02.2019 issued by the office of Additional Commissioner of Police wherein in reference to the order passed by this Tribunal in O.A. No.758/2018 the Respondents at their own reconsidered the issue involved in the present O.A. also and passed the order. The Additional Commissioner of Police (Transport Division) clarified that the recovery cannot be made and, further directed to take note of the same and to release the dues of the Applicant.
4. In view of above order, now the Respondents will have to calculate the pay at the time of retirement and to release pensionary benefits.
5. The order dated 21.02.2019 is taken on record.
6. In view of above, learned Advocate for the Applicant submitted that the matter be disposed of with direction to the Respondents to release the monetary benefits within stipulated time.
7. For the aforesaid reasons, the Original Application is disposed of with direction to the Respondent Nos.1 to 3 to finalize the process of fixation of pay and to release the retiral benefits to the Applicant as per his entitlement within three months from today.
8. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 07.03.2019.
	<p style="text-align: center;">O.A.No. 385 of 2017 with O. A. No.695 of 2017</p> <p>D. R. Modak & Ors.Applicant</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant at the very outset pointed out that the matter in issue in the present O.A. is already decided by this Tribunal in O.A.No.1134/2016 which has been confirmed by the Hon'ble High Court in W.P.No.6261/2018 recently on 25.02.2019. He has also tendered copy of the judgment. He, therefore, submitted that now the Respondents will have to extend the relief claimed in the O.A. on the line of judgment of the Hon'ble High Court.</p> <p>3. In view of the judgment passed by the Hon'ble High Court in W.P.No.6261/2018, learned P.O. is directed to take instructions from the department to see whether the relief claimed in the present matter can be granted to them being similarly situated persons so that these two Original Applications can be disposed of expeditiously.</p> <p>4. Learned P.O. for the Respondents seeks two weeks time to take instructions from the Respondents.</p> <p>5. Hamdast and steno copy is allowed.</p> <p>6. S.O. for 20.03.2019 for final hearing.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.846 OF 2017

Shri A.E. Salunkhe.)...Applicant

Versus

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

Mr. A.S. Deshpande, Advocate for Applicant.

Mrs. K.S. Gaikwad, Presenting Officer for Respondents.

CORAM : A.P. Kurhekar (Member-J)

DATE : 07.03.2019

ORDER

1. Heard Shri A.S. Deshpande, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In the present matter, basically, the Applicant is challenging the order dated 05.10.2015 whereby the order of granting of leave has been cancelled and direction was issued to recover Pay and Allowances paid to the Applicant during leave period of 180 days.

3. It seems that the Applicant while proceeding on leave by his application dated 08.06.2006 intimated the Department about his inability to remain present

in the office on the ground of illness and further stated that the application in requisite form will be submitted while reporting on duty.

4. The perusal of record reveals that earlier, the Applicant was granted the leave period on 28.11.2007 by Joint Director of Agriculture, Nashik Division, Nashik. However, later by order dated 05.10.2015, the said order has been cancelled by the same authority and directions were received to recover Pay and Allowances paid for the period for which leave was earlier granted. The Applicant has also referred representations before Respondent No.3 on 03.12.2015 and again on 08.03.2017. However, the said representations were not responded, and therefore, the Applicant has approached this Tribunal.
5. Today, during the course of hearing, it is pointed out that the representations are not yet decided. It is, therefore, desirable to dispose of O.A. with suitable direction to Respondent No.2.
6. The O.A. is disposed of with direction to Respondent No.2 to decide the representations made by the Applicant dated 03.12.2015 and 08.03.2017 within eight weeks from today and the decision, as the case may be, be communicated to the Applicant.
7. If the Applicant is aggrieved by the decision, he will be at liberty to take recourse of law, as may be permissible to him. No order as to costs.

Sd/-

(A.P. KURHEKAR)
Member-J

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 : 07.03.2019.</p> <p style="text-align: center;">O. A. No.130 of 2018</p> <p>D. J. Thakur & OrsApplicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. In the present O.A., the Applicants are challenging the suspension order dated 19.12.2018, whereby the Applicants were kept under suspension in contemplation of Departmental Enquiry (D.E.). 3. The matter is at the stage of filing of reply by the Respondents. 4. However, the learned Advocate for the Applicant has pointed out that though the charge sheet dated 04.01.2019 in D.E. has been served upon the Applicants, the Disciplinary Authority has not taken the decision about extension of the suspension as mandated by the Hon'ble Supreme Court in (2015) 7 SCC 291 (Ajay Kumar Choudhary V/s Union of India & Ors). 5. Whereby, Shri A. J. Chougule, the learned P.O. for the Respondents submitted that the period of 90 days from the date of suspension order is not yet completed and, therefore, submission advanced by the learned Advocate is premature. 6. At this juncture, it would be apposite to refer the observations made by the Hon'ble Supreme Court in Ajay Kumar Choudhary's case (cited supra), which is as follows :- <ul style="list-style-type: none"> "21. We, therefore, direct that the currency of a suspension order should not extend beyond three months if within this period the memorandum of charges/charge-sheet is not served on the delinquent officer/employee; if the memorandum of charges/charge-sheet is served, a reasoned order must be passed for the extension of the suspension. As in the case in hand, the Government is free to transfer the person concerned to any department in any of its offices within or outside the State so as to sever any local or personal contact that he may have and which he may misuse for obstructing the investigation against him. The Government may also prohibit him from contacting any person, or handling records and documents till the stage of his having to prepare his defence. We think this will adequately safeguard the universally recognized principle of human dignity and the right to a speedy

trial and shall also preserve the interest of the Government in the prosecution. We recognize that the previous Constitution Benches have been reluctant to quash proceedings on the grounds of delay, and to set time-limits to their duration. However, the imposition of a limit on the period of suspension has not been discussed in prior case law, and would not be contrary to the interests of justice. Furthermore, the direction of the Central Vigilance Commission that pending a criminal investigation, departmental proceedings are to be held in abeyance stands superseded in view of the stand adopted by us."

7. Thus, in view of the law laid down by the Hon'ble Supreme Court in *Ajay Kumar Choudhary's case*, the Disciplinary Authority is required to consider the issue of continuation of suspension once the charge sheet in D.E. is issued. The Disciplinary Authority needs to decide whether further continuation of suspension is justified and the decision should be objective which can be subject to the judicial scrutiny.

8. In the present case, admittedly the charge sheet dated 04.01.2019 has been issued but the Respondent No.1 did not bother to see whether further continuation of suspension is justified. It is, therefore, imperative on part of the Respondent No.1 to consider the issue of extension of suspension in the light of judgment of Hon'ble Supreme Court in *Ajay Kumar Choudhary's case*.

9. In view of above, the Respondent No.1 is directed to take the decision on the issue of suspension of the Applicants within two weeks and inform the Tribunal on the next date.

10. Needles to mention that in terms of G.R. dated 14.10.2011, clause 7 also the Disciplinary Authority is under obligation to consider the question of continuation or revocation of suspension. In the present matter, three months period would come to an end on 19.03.2019. This being the position.

11. From both the angles, the Disciplinary Authority is required to take the decision on the issue of suspension of the Applicants.

12. For the aforesaid reasons, the matter is adjourned for hearing on 28.03.2019.

13. Hamdast and steno copy is allowed.

14. S.O. to 28.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 07.03.2019.
	<p style="text-align: center;">O.A.No.198 of 2019</p> <p>A. L. DagadeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. U. Ugale, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. In the present matter, the Applicant is seeking challenge is to the impugned transfer order dated 02.03.2019, whereby he has been posted as Deputy Registrar, Co-operative Societies, Pune on vacant post. 3. Learned Advocate for the Applicant submitted that the present transfer is not in consonance with the mandatory requirement of section 4(4)(ii) and 4(5) of the Transfer Act, 2005 and his client has been transferred within 10 days from the post of Deputy Registrar, Cooperative Societies, Thane. 4. Whereas, the learned P.O. for the Respondents submitted that the transfer has been approved by the Civil Services Board (CSB) as well as by the Hon'ble Chief Minister and challenge to the transfer order is devoid of merit. 5. This O.A. is called out of the order passed by this Tribunal in O.A.No.1132/2018 filed by Shri Chandel challenging his transfer order dated 10.12.2018, whereby in his place the present Applicant Shri Dagade was posted. This Tribunal observed that there was no proper compliance of recording of reasons and the impugned order had been issued only to accommodate the present Applicant Shri Dagade. As the order dated 10.12.2018 is stayed, Shri Chandel was continued on his post at Thane and, therefore, it was necessary to give another posting to the Applicant Shri Dagade. It is in this context, the Respondents have issued the transfer order dated 02.03.2019, whereby he has been posted as Deputy Registrar, Cooperative Societies, Pune on vacant post.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders -2-
	<p>6. The perusal of file tendered by the learned P.O. reveals that the transfer has been approved by the CSB as well as by the Hon'ble Minister and by the Hon'ble Chief Minister, this being the position. Prima-facie, there is compliance of section 4(4) (ii) and 4(5) of the Act, 2005.</p> <p>7. Furthermore, by impugned transfer order dated 02.03.2019, the Applicant has been posted on vacant post which is permissible as per proviso of section 4 of the Act, 2005.</p> <p>8. In view of above, I am not inclined to grant interim stay to the impugned order.</p> <p>9. This matter be placed on board with connected matter No.1132/2018 on 11.03.2019.</p> <p>10. Issue notice before admission returnable on 11.03.2019.</p> <p>11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>12. 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>13. 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>14. 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>15. 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.</p> <p>16. S.O. to 11.03.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(I)</p> <p>vsm</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.191 of 2019

DISTRICT : NASHIK

Vaishali V. Hinge

)..... Applicant

Versus

State of Maharashtra & Ors.

)...Respondents

Shri A. V. Bandiwadekar, Advocate for Applicant.

Shri A. J. Chougule, Presenting Officer for the Respondent No.1.

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

DATE : 07.03.2019

ORDER

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the impugned transfer order dated 25.02.2019 whereby she has been transferred from the post of Tahasildar, Jalgaon to Tahasildar (Entertainment Tax), Jalgaon.
3. Learned Advocate for the Applicant contends that there is no proper compliance of Section 4(4) (ii) and 4(5) of ROT Act, 2005 (herein after referred as Act 2005).
4. Whereas, the learned P.O. submitted that the impugned order dated 25.02.2019 has been approved by the Hon'ble Minister as well by the Hon'ble Chief Minister and, therefore, the Applicant is not entitled to interim relief.
5. Material to note that the earlier the Applicant has been transferred by impugned order dated 20.02.2019 whereby she was transferred from the post of Tahasildar (Land Acquisition), Nashik to the post of Tahasildar, Jalgaon. However, the said order has been modified after four days only and by

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impugned order dated 25.02.2019 she has been shown transferred to the post of Tahasildar (Entertainment Tax), Jalgaon.

6. Learned P.O. for the Respondents has tendered file for the perusal of the Tribunal which discloses that in so far as the transfer order dated 20.02.2019 is concerned, there was approval of Civil Services Board (CSB) as well as the Hon'ble Chief Minister. However, admittedly as regards the transfer order dated 25.02.2019, there is no approval of CSB. The changes were made at the level of Hon'ble Minister and Hon'ble Chief Minister stating that for administrative reasons, family difficulties of the employees' changes were required.

7. Once, the earlier order dated 20.02.2019 after approval of the CSB has been issued then for change, if any, matter was required to be placed before the CSB before issuance of second transfer order. Admittedly, the matter was not placed before the CSB.

8. It is mid-term transfer and, therefore, there has to be compliance of section 4(4) (ii) and 4(5) of Act, 2005. The Competent Authority for general transfer is Minister in charge in consultation of Secretary of the concerned department and for mid-term and mid-tenure transfer, it requires approval of Hon'ble Chief Minister after recording reasons for the same.

9. However, in the present case changes are obviously made at the level of Hon'ble Minister and not in consultation of the Secretary of the concerned department and neither it has been placed before the CSB.

10. In view of above, I am satisfied that *prima-facie* the impugned transfer order dated 25.02.2019 is not in consonance with the provision of Act, 2005. For the aforesaid reasons, I am inclined to grant interim relief as per prayer clause 10(a).

11. Hamdast and steno copy is allowed.
12. Issue notice before admission returnable on 04.04.2019.
13. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
14. 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.
15. 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.
16. 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.
17. 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.
18. S.O. to 04.04.2019.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A.44/19
	<p>Shri D.K. Ambhore ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad holding for Ms. S.P. Manchekar, learned C.P.O. for Respondents.</p> <p>2. Today, the lerned P.O. has filed Affidavit-inOreply on behalf of Respondent No.1. The same is taken on record.</p> <p>3. Two weeks' time is granted for filing Rejoinder.</p> <p>4. S.O. to 20th March, 2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</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 <u>O.A.1174/17</u>
	<p>Shri B.T. Sakapal ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents.</p> <p>2. Today, the learned P.O. has filed Affidavit-in-reply on behalf of Respondents 1 & 2. It is taken on record.</p> <p>3. On the request of learned Advocate for the Applicant, three weeks' time is granted for filing Rejoinder.</p> <p>4. S.O. to 28th March, 2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</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 <u>O.A.39/19</u>
	<p>Shri K.V. Patil ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule holding for Ms. S.P. Manchekar, learned C.P.O. for Respondents.</p> <p>2. In the present matter, initially the challenge was to the impugned order dated 20.06.2018. However, during the course of pendency of this O.A, the Respondents have cancelled the impugned order dated 20.06.2018 by Issuing fresh order dated 25.02.2019.</p> <p>3. Now, in view of this subsequent development, the learned Advocate for the Applicant sought to challenge the order dated 25.02.2019 also and for that purpose seeks leave to amend the O.A. Leave granted.</p> <p>4. Amendment be carried out within two days. Respondents to file reply to the amended O.A. by next date.</p> <p>5. S.O. to 14th March, 2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</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 <u>O.A.22/19</u>
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Shri N.R. Sawardekar ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Shri A.J. Chougule holding for Ms. S.P. Manchekar, learned C.P.O. for Respondent No.1 and Shri A.V. Bandiwadekar, learned Advocate for Respondent No.2.

2. Shri Bandiwadekar, learned Advocate for Respondent No.2 sought permission to annex documents to Affidavit-In-reply already filed on record. Permission granted.

3. Shri Lonkar, learned Advocate for the Applicant submitted that he is filing composite Rejoinder during the course of the day. The same is accepted and taken on record.

4. As the pleadings are complete, the matter is adjourned for hearing at the stage of admission.

5. S.O. to 13th March, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

(skw)

**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 style="text-align: center;"><u>O.A.19/19</u></p> <p>Shri N.V. Jadhav ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned P.O. for Respondents. 2. Today, the learned P.O. has tendered a copy of un-affirmed Affidavit-in-reply to the learned Advocate for the Applicant and submitted that the affirmed copy of Affidavit-in-reply will be filed in the Tribunal in a week, as the concerned Officer is on election duty. 3. In view of above, one week's time is granted as last chance for filing Affidavit-in-reply to the learned P.O. 4. As un-affirmed copy of reply is already tendered to the learned Advocate for the Applicant, he is at liberty to file Rejoinder, if any. 5. S.O. to 14th April, 2019. Hamdast granted. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</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 : 07.03.2019.

O.A.No.142 of 2019

D. D. ShivthareApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri Aviket Mukadam holding for Shri Anoop Patil, learned Advocate for the Respondent No.2.

2. In the present matter, the Applicant has challenged the transfer order dated 13.02.2019 whereby he was transferred from the post of S.D.P.O., Lonawala, Pune to S.D.P.O., Jawhar, Palghar District. This Tribunal has granted interim relief in favour of the Applicant by order dated 18.02.2019 and directions were issued to repost the Applicant in his original place of posting.

3. Today, learned P.O. for the Respondents has tendered a copy of letter dated 06.03.2019 issued by the Government which discloses that the Government has cancelled the impugned order dated 13.02.2019.

4. In view of above, no cause of action survives in the O.A. and it deserves to be disposed of.

5. Accordingly, the Original Application is disposed of with no order as to costs.

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 07.03.2019.</p> <p>O.A.No.1055 of 2018</p> <p>V. S. MoneApplicant</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 holding for Ms S. P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. S.O. to 20.03.2019.</p> <p>Sd/- v (A.P. Kurhekar) Member(J)</p> <p>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 : 07.03.2019.</p> <p>O.A.No. 148 of 2019</p> <p>R. M. PingleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ..Respondents.</p> <p>1. Heard Shri A. V. Bandiwadkar, learned Advocate for the Applicant and Smt. Kranti Galkwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has tendered the copies of orders dated 06.03.2019 which shows that the Applicants have been relieved by the office of Collector, Ratnagiri in pursuance of the order passed by the Government on 07.09.2018.</p> <p>3. This Original Application was filed for limited relief for direction to the Respondent 1 to relieve the Applicants, so as to enable them to join the place where they have been transferred.</p> <p>4. In view of above, no cause of action further survives and the Original Application needs to be disposed of.</p> <p>5. The 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	Tribunal's orders
	<p>Date : 07.03.2019.</p> <p style="text-align: center;">O.A.No.60 of 2019</p> <p>R. B. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. In the present matter, the Applicant has challenged the impugned order of cancellation of Time Bound Promotion benefit. According to the Respondents, it is 3rd Time Bound Promotion for which the Applicant was not entitled, therefore, it has been cancelled. 3. The Respondent No.3 has already filed reply on previous date. 4. Today, the learned P.O. for the Respondents sought time to file reply on behalf of the Respondent No.1 and 2. 5. Learned Advocate for the Applicant has pointed out that the issue in the present O.A. has been already decided by the Hon'ble High Court in W.P.No.2605/2017 (The Association of the Sub-ordinate Service of Engineers, Maharashtra State V/s. State of Maharashtra & Ors.) decided on 06.02.2019. Perusal of the judgment reveals that the W.P. was allowed and the directions were given to the Respondents to refund the amount which was recovered from them in pursuance of Circular dated 13.06.2016. 6. In the present O.A. also recovery sought to be made in reference to circular dated 13.06.2016. In W.P. also Principal Secretary, Irrigation Department was one of the Respondent. The present matter also relates to Water Resource Department. 7. As such, in view of the decision of the Hon'ble High Court, the Respondents are required to take decision on the representation made by the Applicant on 05.03.2019 claiming benefit of the judgment of the Hon'ble High Court in W.P.No.2605/2017. 8. In view of above, the learned P.O. is directed to take instructions about the effect of the judgment of the Hon'ble High Court in W.P.No.2605/2017 in the present O.A. and shall make statement on the next date. 9. S.O. top 19.03.2019. <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.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A.946/17
	<p>Shri I.N. Sayyad & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents</p> <p>1. The Applicant and his Advocate are absent. Heard Smt. A.B. Kololgi, learned C.P.O. for Respondents.</p> <p>2. The learned P.O. has pointed out that the benefit claimed by the Applicants has been already granted to them.</p> <p>3. The matter is fixed today for admission, but the Applicant and his Advocate are absent. On previous date also they were absent.</p> <p>4. Thus, the Applicant seems not interested in the matter and hence, the matter is dismissed for default.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.186/19</u></p> <p>Shri C.S. Kashid ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri P.S. Pathak, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned P.O. for Respondents.2. issue notice returnable on 04.04.2019.3. 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 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.8. S.O. to 4th April, 2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 07.03.2019</p> <p>(skw)</p>

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

Tribunal's orders

O.A.147/19

Shri S.J. Deshpande ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.T. Suryawanshi, learned P.O. for Respondents.

2. Issue notice returnable on 04.04.2019.

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 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.

8. S.O. to 4th April, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

(skw)

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

Tribunal's orders

O.A.187/19

Shri S.R. Patil ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

2. Issue notice returnable on 22.03.2019.

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 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.

8. S.O. to 22nd March, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

(skw)

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

Tribunal's orders

O.A.188/19

Shri S.B. Kadam ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents.
2. Issue notice returnable on 22.03.2019.
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 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.
8. S.O. to 22nd March, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

(skw)

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

Tribunal's orders

O.A.216/19

Shri D.M. Gavhane ... Applicant
Vs.
The State of Mah. & ors. ... Respondents

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

2. Issue notice returnable on 14.03.2019.

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 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.

Sd/- to 14th March, 2019.

Sd/-

(A.P. Kurhekar)
Member-J
07.03.2019

(skw)

**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> : 4/3/19</p> <p><u>CORAM</u> : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A P.M. Dixit</p> <p><u>APPEARANCE</u> : Shri/Smt. : done for the applicant</p> <p>Advocate for the Applicant Shri /Smt. : N.G. Gohad for, Manoj Kumar</p> <p>C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... 4/4/19</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 07.03.2019.</p> <p style="text-align: center;">O.A.No.123 of 2018</p> <p>R.S. PawarApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. N.G. Gohad, the learned Presenting Officer holding for Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.</p> <p>2. Applicant in person has informed that he is unable to attend today.</p> <p>3. Learned P.O. Ms. N.G. Gohad seeks three weeks time for filing affidavit-in-reply.</p> <p>4. Adjourned to 04.04.2019.</p> <p style="text-align: right;">Sd/- (P.M. Dixit) Member(A)</p> <p>prk</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>7.13.19.</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishna (Member) A <i>P.N. Dixit</i></p> <p>APPEARANCE: Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant Shri/Smt. <u>N. G. Gohad</u> C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To <u>3/4/19.</u> <i>2</i></p>	<p>Date : 07.03.2019.</p> <p>O.A.No.871 of 2018</p> <p>S.R. DurapeApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Ms. N.G. Gohad seeks two weeks time for filing affidavit-in-reply.</p> <p>4. While preparing the affidavit-in-reply, it should address particularly to paragraph No.7.4 and 7.5 of the O.A.</p> <p>5. Adjourned to 03.04.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member(A)</p> <p>prk</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> 7/3/19.</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. : M.D. Lonkar Advocate for the Applicant Shri/Smt. : N.G. Gohad C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: 5/4/19. order passed in Tribunal Column'</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 07.03.2019.</p> <p style="text-align: center;">O.A.No.94 of 2018</p> <p>A.S. JakkanawarApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Shri M.D. Lonkar for the Applicant adjourned to 05.04.2019.</p> <p>3. Meanwhile learned P.O. Ms. N.G. Gohad should ask the Respondents to expedite the progress regarding tracing the missing credit and make payment of the same to the Applicant.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member(A)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 7/3/19</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. P. Manoj Kumar (Member) A P.N. Dixit</p> <p><u>APPEARANCE:</u> Shri/Smt. K.R. Jagdale Advocate for the Applicant Shri/Smt. S.P. Manoj Kumar C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To..... Heard order passed in Tribunal Column 50 to 27/3/19</p> <p style="text-align: right;">&</p>	<p>Date : 07.03.2019.</p> <p style="text-align: center;">O.A.No.43 of 2019</p> <p>G.P. DeshmukhApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manoj Kumar, the learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. Ms. S.P. Manoj Kumar for the Respondents states that affidavit-in-reply on behalf of Respondent No.4 would be filed within a week. As far as affidavit-in-reply from Respondents No.2 and 3 are concerned, she seeks three weeks time. 3. Learned C.P.O. Ms. S.P. Manoj Kumar further states that she has written letter to Respondents No.2 and 3 on 18.01.2019. 4. Learned C.P.O should communicate to the Respondents No.1, 2 and 3 that if they propose, should file their reply, and intimate the progress on the next date. 5. S.O. to 27.03.2019. <p style="text-align: right;">Sd/- (P.N. Dixit) Member(A)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 7/3/19.</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishna (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. A.S. Deshpande, Shri Talekar Advocate for the Applicant Shri/Smt. S.P. Manchekar C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To: 19/3/19.</p> <p style="text-align: right;">2</p>	<p>Date : 07.03.2019.</p> <p>O.A.No.578 of 2018 with O.A.No.579 of 2018</p> <p>A.A. Gaikwad (O.A.578/2018) A.M. Sapkal (O.A.579/2018)Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Deshpande, the learned Advocate holding for Shri Talekar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Shri A.S. Deshpande, the learned Advocate seeks adjournment.</p> <p>3. Adjourned to 19.03.2019.</p> <p style="text-align: right;">Sd/- (P.N.) Dixit Member(A)</p>
	<p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE</u> 7/3/19.</p> <p><u>CORAM</u>: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A P.N. Dixit</p> <p><u>APPEARANCE</u>: Shri/Smt. Jai Swal for R.G. Panchal Advocate for the Applicant Shri/Smt. S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. 13/3/19 order passed in tribunal G1444</p>	<p>Date : 07.03.2019.</p> <p>O.A.No.721 of 2018</p> <p>S.S. BhosaleApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Jaiswal, the learned Advocate holding for Shri R.G. Panchal, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents has filed affidavit-in-reply on behalf of Respondents No.3 and 4. It is taken on record.</p> <p>3. Learned Advocate Shri Jaiswal seeks time to submit his rejoinder.</p> <p>4. S.O. to 13.03.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member(A)</p> <p>prk</p>

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

Tribunal's orders

Date : 07.03.2019.

O.A.No.1053 of 2018
(Subject : Revised A.C.P.)

B.K. KambleApplicant.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.S. Suryawanshi, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned P.O. holding for Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. During the hearing today learned Advocate Shri A.S. Suryawanshi for the Applicant states that impugned order was issued on 09.03.2018. This is the first time that he became aware that his benefit of 2nd increment under Assured Career Progression Scheme has been given to him from the year 01.04.2011 instead on 01.04.2006.

3. Learned Advocate further mentions that he proposed to make representation against the same before the competent authority. He seeks liberty to move this Tribunal if aggrieved by the same.

4. In view of the same he proposed to withdraw the O.A. with liberty to file fresh O.A. at suitable time, if required. O.A. is disposed of accordingly.

Sd/-

(P.N. Dixit)
Member(A)

prk

DATE: 7/3/19

CORAM:

Hon'ble Justice ~~.....~~ (Chairman)

Hon'ble Shri ~~.....~~ (Member) A

APPEARANCE:

Shri/Smt A.S. Suryawanshi

Advocate for the Applicant

Shri/Smt N.G. Gohad for S.P. Manchekar

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

Adj. To Head

order passed in
Tribunal column
O.A. is disposed of
accordingly. ↘

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>7/3/19</u></p> <p>CORAM: Hon. Justice Shri A. H. Joshi (Chairman) Hon. Justice M. Rameshkumar (Member) A P.N. Dixit</p> <p>APPEARANCE: Sri/Smt. <u>Punam Mahajan</u> Advocate for the Applicant Sri/Smt. <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>26/3/19</u></p> <p style="text-align: right;"><i>l</i></p>	<p>Date : 07.03.2019.</p> <p style="text-align: center;">O.A.No.1047 of 2018</p> <p>V.V. DesaiApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents mentions that affidavit-in-reply would be filed within a week.</p> <p>3. S.O. to 26.03.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member(A)</p> <p>prk</p>