

**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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O.A. No.353 of 2018

S. Dhumal Applicant
Vs.
The State of Maharashtra & Ors. Respondents

Heard Shri Sandeep Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Not on board. Mentioned and taken on record.

3. Time to carry out the amendment is extended by 11.9.2018.

7/9/18

P. N. Dixit (Member) A

Sandeep Dere

(sg)

Sd/-

(P. N. Dixit)
Member (A)
7.9.2018

For the Applicant

Smt. K.S. Gaikwad
Pro for the Respondents.

Time to carry out the amendment is extended by 11/9/18.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20__

FARAD CONTINUATION SHEET NO.

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<p align="center">7/9/18</p> <p align="center">P.N. DIXIT (Member) A</p> <p align="center">FRANCE A.R. JOSHI</p> <p align="center">for the Applicant</p> <p align="center">Ms. S. Suryawanshi</p> <p align="center">11/11/18</p> <p>Steno copy and handdast is granted.</p> <p align="right"><i>(Signature)</i></p>	<p align="center"><u>M.A. No.236 of 2017 in O.A. No.504 of 2017</u></p> <p>R.B. Mondke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.R. Joshi, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces communication dated 5.9.2018 from respondent no.1. The same is taken on record and marked 'X' for identification. The respondents have requested for eight weeks to process the matter.</p> <p>3. Ld. Advocate for the applicant points out that the matter has been prolonged since six months. In view of the same he seeks directions to expedite the matter</p> <p>4. The respondents are directed to expedite the decision in four weeks.</p> <p>5. S.O. to 1.11.2018.</p> <p>6. Steno copy and handdast is granted. Ld. PO is directed to communicate this order to the respondents.</p> <p align="right">Sd/- (P.N. Dixit) Member (A) 7.9. 018</p> <p align="left">(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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M.A. No.212 of 2018 in O.A. No.273 of 2018

S.S. Mali ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Ms. A.S. Patki learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks time to file reply.

3. S.O. to 24.9.2018.

DATE 7/9/18

CORAM

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

APPEARANCE

Shri/mt. Ms. A.S. Patki

Advocate for the Applicant

Shri/mt. Ms. S.P. Manchekar

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

Ad./S.O. to 24/9/18

Sd/-

(P.N. DIXIT)

Member (A)

7.9.2018

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

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Q.A. No.803 of 2018

R.K. Javkar Applicant

Vs.

The State of Maharashtra & Ors. Respondents

Heard Shri R.G. Panchal, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.

2. Matter may be placed before appropriate Division Bench in view of the order dated 12.4.2018.

DATE 7/9/18

FORAM

Member Shri P.N. DIXIT (Member) A

Sd/-

(P.N. Dixit)
Member (A)
7.9.2018

APPEARANCE

by/for R.G. Panchal

(sgl)

Advocate for the Applicant

by/for S.D. Dole

Presenting Officer for the Respondents

Advise to Matter may be
Place before appropriate
Division Bench in view of
the order dt. 12/4/18.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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
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O.A. No.203 of 2018

S.B. KokareApplicant
Vs.
The State of Maharashtra & Ors.Respondents

Heard Ms. S.N. Saroj, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.

2. Ld. PO mentions that MA No.382 of 2018 was heard by Hon'ble Chairman on 6.8.2018. The orders in this regard are still awaited. The matter, therefore, may be placed before the Hon'ble Chairman.

3. The matter be placed before the Hon'ble Chairman.

DATE 7/9/18

CORAM

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

APPEARANCE:

Shri Saroj, Ms. S.N. Saroj, holding for D.B. Khaire, Advocate for the Applicant

Shri S. Suryawanshi, Presenting Officer for the Respondents

Advise to The matter be placed before Hon'ble Chairman.

Sd/-

(P N. Dixit)
Member (A)
7.9.2018

(sgj)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No. 659 of 2017

V. Kallur Applicant

Vs.

The State of Maharashtra & Ors Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Id. CPO seeks time to file reply.

3. S.O. to 12.10.2018.

DATE 7/9/18

CORAM

Shri P.N. DIXIT (Member) A

Sd/-

(P.N. Dixit)

Member (A)

7.9.2018

APPEARANCE:

~~Shri~~ V.P. Potbhare

(sgl)

Advocate for the Applicant

~~Ms. S.P. Manchekar~~

Advocate for the Respondent/s

S.O. to 12/10/18

**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 style="text-align: center;"><u>O.A. No.853 of 2017</u></p> <p>B.R. Gulve ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. To come up for final hearing in due course.</p> <p>3. Liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 7.9.2018</p>
<p>DATE <u>7/9/18</u></p> <p><u>FORAM</u> Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <u>Shri C.T. Chandratre</u> (sgl)</p> <p>for the Applicant <u>Ms. S.P. Manchekar</u> for the Respondent/s</p> <p><u>Admit. To come up for final hearing in due course.</u></p> <p style="text-align: right;"><i>(Signature)</i></p>	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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
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O.A. No.1081 of 2017

D.N. Ghalpade & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri J.N. Kamble, learned Advocate for the Applicants and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO files reply and the same is taken on record.
3. Admit. To come up for final hearing in due course.
4. Liberty to file rejoinder, if any.

DATE 7/9/18

TEAM

Shri P.N. DIXIT (Member) A

Sd/-

(P.N. Dixit)
Member (A)
7.9.2018

APPEARANCE

Shri J.N. Kamble

(sgl)

Advocate for the Applicant

Shri Ms. S.P. Manchekar
 P.O./P.O. for the Respondent/s
 Reply filed by A. No. 122.
 Also to Admit. To come
 up for final hearing in
 due course.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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IN

Original Application No. _____ of 20____

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<p style="text-align: center;"><u>7/9/18</u></p> <p>_____ (Member) A</p> <p>_____ Sandeep Dere</p> <p>_____ for the Applicant</p> <p>Smt. K.S. Gaikwad for the Respondents.</p> <p><u>Admission</u> Time to carry out the amendment is extended by 11/9/18.</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No. 333 of 2018</u></p> <p>S. Dhimal Applicant Vs. The State of Maharashtra & Ors. Respondents</p> <p>Heard Shri Sandeep Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Not on board. Mentioned and taken on record.</p> <p>3. Time to carry out the amendment is extended by 11.9.2018.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 7.9.2018</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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---	-------------------

M.A. No.507 of 2016 in O.A. No.1104 of 2016

R.S. Pawar Applicant

Vs.

The State of Maharashtra & Ors. Respondents

Heard Miss S.P. Manchekar. Learned Chief Presenting Officer for the Respondents.

2. Applicant in person is absent. He seeks adjournment.

3. S.O. to 4.10.2018.

DATE 7/9/18

CORAM

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

(sgl)

Sd/-

(P.N. Dixit)

Member (A)

7.9.2018

APPEARANCE:


~~Present:~~ Applicant in Person is absent.

~~Present:~~ for the Applicant

~~Present:~~ Ms. S.P. Manchekar

~~Present:~~ for the Respondent/s

~~Present:~~ N.110/18

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.824 of 2018
<p>DATE <u>7/9/18</u></p> <p>MEMBER P.N. DIXIT (Member) A</p> <p>APPEARANCE: <u>M. B. Kadam,</u> holding for L.S. Deshmukh for the Applicant</p> <p><u>Ms. N. G. Gohad</u> for the Respondents</p> <p><u>15/10/18</u></p> <p> (sgj)</p>	<p>Y.R. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri L.S. Deshmukh, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presiding Officer for the Respondents.</p> <p>2. Issue notice returnable on 15.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- (P.N. Dixit Member (A) 7.9.2018</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No. 23 of 2018
<p>DATE <u>7/9/18</u></p> <p>CORAM Honble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri M.B. Kadam, holding for L.S. Deshmukh Advocate for the Applicant</p> <p>Shri S.D. Dole Advocate for the Respondents</p> <p><u>15/10/18</u></p> <p><i>(Signature)</i></p>	<p>S.R. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri L.S. Deshmukh, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 15.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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 dismissal hearing.</p> <p>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.</p> <p>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.</p> <p>7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 7.9.018</p> <p>(sgl)</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.721 of 2018
<p>DATE <u>7/9/18</u></p> <p>OFFICER Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: <u>R.G. Panchal</u></p> <p>For the Applicant <u>Ms. S.P. Manchekar</u></p> <p>For the Respondent/s</p> <p>Issue of to <u>22/10/18</u></p> <p><i>[Signature]</i></p>	<p>S.S. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.G. Panchal, learned Advocate for the Applicant and Miss S.P. Mancheka, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 22.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. In case notice is not collected within seven days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- (P.N. Dixit Member (A) 7.9.2018</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's order O.A. No.822 o 2018
<p>DATE <u>7/9/18</u></p> <p>CORAM Hon'ble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri M.B. Kadam, holding power of L.S. Deshmukh Advocate for the Applicant.</p> <p>Shri S.P. Manchekar Advocate for the Respondent's</p> <p>DATE <u>15/10/18</u></p> <p><i>(Signature)</i></p>	<p>S.J. Sayyed ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri L.S. Deshmukh, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 15.10.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date. OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>(sgj)</p> <p style="text-align: right;">Sd/- (P.N. Dixit Member (A 7.9.2018</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: 7/9/2018</p> <p>CORAM: J.D. Kulkarni (V/c) Hon'ble Justice Shri A.H. Joshi (Chairman)</p> <p>APPEARANCE: A.A. Deshpande</p> <p>By the Applicant</p> <p>By the Respondent/s: S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to O.A stands disposed of as withdrawn with no order as to costs.</p> <p style="text-align: right;">B.P.K.</p>	<p style="text-align: center;"><u>O.A.53/2018</u></p> <p>Mr. M.M. Hattali . Applicant Vs. The State of Mah. & ors. . Respondents</p> <p>1. Heard Shri A.A. Deshpande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. with Smt. K.S. Gaikwad, learned P.C. for the Respondents.</p> <p>2. The learned Advocate for the Applicant submits that he has been instructed by his client to withdraw this O.A. with permission to file fresh O.A. challenging the order passed by the S.I.O. The learned Advocate has also filed pursis to that effect which is marked Exh. 'X' for identification.</p> <p>3. In view thereof, permission is granted to withdraw the O.A. O.A. stands disposed of as withdrawn with no order as to costs.</p> <p style="text-align: right;">Sd/- (J.I. Kulkarni) Vic.-Chairman 07.09.2018</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>DATE : <u>7/9/2018</u></p> <p>CORAM : <u>J.D. Kulkarni (C/JC)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE : Shri/Smt. <u>R.M. Kolge</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u> C.F.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>O.A stands</u> <u>disposed of as withdrawn.</u></p> <p style="text-align: right;"><i>skw</i></p>	<p style="text-align: center;"><u>O.A.88/2018</u></p> <p>Mr. S.S. Dhobale ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for the Respondents.</p> <p>2. In this O.A, the Applicant has challenged the impugned order dated 28.07.2014 issued by Respondent No.2 whereby punishment of stoppage of two increments permanently has been inflicted upon the Applicant. The learned Advocate for the Applicant submits that he has not exhausted the remedy of filing appeal against the said order of Respondent No.2, and therefore, the Applicant may be permitted to withdraw the O.A. with permission to file appeal before the appellate authority.</p> <p>3. In view of the fact that there is a provision of departmental appeal against the impugned order, the request is accepted.</p> <p>4. The O.A. stands disposed of as withdrawn with permission to file appeal before the appellate authority i.e. Respondent No.1. The appellate authority may consider all the aspects of appeal that may be filed.</p> <p>5. No order as to costs.</p> <p style="text-align: right;">Sd/- <u>J.D. Kulkarni</u> (J.D. Kulkarni) Vice-Chairman 07.09.2018</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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<p>DATE : <u>7/9/2018</u></p> <p>CORAM : <u>J.D. Kulkarni (V/c)</u> <small>Justice Shri A. H. Joshi (Chairman)</small></p> <p>APPEARANCE: <u>A.A. Deshpande</u> <small>Advocate for the Applicant</small></p> <p><u>S.P. Manchekar with</u> <small>C.P.O./P.O. for the Respondent/s</small> <u>Mrs. K.S. Gaikwad for Resps.</u> <small>Adv/S.O. to</small></p> <p><u>OA stands disposed of</u> <u>as withdrawn with no order</u> <u>as to costs.</u></p> <p style="text-align: right;"><u>skw</u></p>	<p style="text-align: center;"><u>O.A.153/2018</u></p> <p>Mr. S.A. Bhosale ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.A. Deshpande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. with Smt. K.S. Gaikwad, learned P.O. for the Respondents.</p> <p>2. The learned Advocate for the Applicant submits that he has been instructed by his client to withdraw this O.A. with permission to file fresh O.A. challenging the order passed by the S.D.O. The learned Advocate has also filed pursis to that effect which is marked Exh. 'X' for identification.</p> <p>3. In view thereof, permission is granted to withdraw the O.A. O.A. stands disposed of as withdrawn with no order as to costs.</p> <p style="text-align: right;">Sd/- (J.D. Kulkarni) <u>07/09/18</u> Vice-Chairman 07.09.2018</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.627/2018

Mr. M.P. Kanoje ... Applicant

Vs.

The State of Mah. & ors. ... Respondents

1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. In this O.A, the Applicant has challenged the order of suspension dated 22.06.2018. Admittedly, the Applicant has not preferred an appeal against this order before the appellate authority. The learned Advocate for the Applicant after taking instructions from his client submits that the Applicant may be permitted to withdraw the O.A. with liberty to file appeal against the order.

3. Since the alternative remedy of appeal is available, the Applicant is allowed to withdraw the O.A.

4. The learned Advocate for the Applicant submits that the Applicant will prefer appeal within one week and the same will be decided within two months from the date of receipt of appeal memo by the appellate authority.

5. The O.A. stands disposed of as withdrawn. The Applicant will be at liberty to file appeal against the order of suspension before the competent appellate authority and the competent appellate authority shall take decision on such appeal within two months from the date of receiving of the appeal made.

DATE : 7/9/2018

CORAM : J.D. Kulkarni (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri/Smt. : D. B. Khaire

Advocate for the Applicant

Shri/Smt. : S.P. Manchekar
C.P.O./P.O. for the Respondent/s

Adj./S.O. to : O.A stands disposed
of as withdrawn.

J.D.

Sd/-

(J.D. Kulkarni)

Vice-Chairman

07.09.2018

(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>DATE : <u>7/9/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>Aditya pratap</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>19/9/2018</u></p> <p style="text-align: right;"><i>DATE</i> <i>9/9/18</i></p>	<p style="text-align: center;"><u>O.A.647/2018</u></p> <p>Mr. S.S. Kapse ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri Aditya Pratap, learned Advocate for the Applicant and Ms. N.G. Gohad holding for Shri N.K. Rajpurhoit, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant files Rejoinder. It is taken on record and copies served on the Respondents.</p> <p>3. On the request of learned Advocate for the Applicant, S.O. to 19th September, 2018.</p> <p style="text-align: right;">Sd/- _____ (D. Kulkarni) Vice-Chairman 07.09.2018</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>7/9/2018</u></p> <p>CORAM : <u>J. D. Kulkarni (V/C)</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>M. R. Patil</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>H. G. Gohad</u> C/O P.O. for the Respondents</p> <p>Adj./S.O. to <u>Issue notice</u> returnable on 5/10/2018.</p> <p style="text-align: right;"><i>BJE</i></p>	<p style="text-align: center;"><u>O.A.818/2018</u></p> <p>Mrs. A.G. Rao ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri M.R. Patil, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. Issue notice returnable on 5th October, 2018. 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 5th October, 2018. <p style="text-align: right;">Sd/- (D. Kulkarni) Vice-Chairman 07.09.2018</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>21/9/2018</u></p> <p>CORAM <u>J.D. Kulkarni (C/JC)</u> Hon'ble Justice <u>A.H. Joshi (Chairman)</u></p> <p>APPEARANCE: Shri/Smt. <u>A.V. Sakolker</u> for the Applicant</p> <p>Shri/Smt. <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>21/9/2018</u></p> <p style="text-align: right;"><i>skw</i></p>	<p style="text-align: center;"><u>O.A.821/2018</u></p> <p>Dr. S.S. Lahade ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri A.V. Sakolker, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files on record the copies of FIR and Police papers. The same are taken on record and marked as Annexure 'X' for the purposes of identification.</p> <p>3. The learned Advocate for the Applicant has prayed that the suspension order dated 9th August, 2018 is challenged in this O.A. The said order has been passed under Rule 4-A of the Maharashtra Civil Services (Discipline & Appeals) Rules and no reasons are given for suspension. He places reliance on the Judgment delivered by the Hon'ble High Court in Writ Petition No.9660 of 2014 in the case of The State of Maharashtra Vs. Subhash D. Mane in this regard.</p> <p>4. Vide order dated 06.09.2018, this Tribunal has directed the P.O. to take instructions from the competent authority in the matter and make statement accordingly.</p> <p>5. The learned P.O. places on record the copies of FIR and other Police investigation documents and submitted that the FIR under Sections 420 and 198 of the IPC has been registered against the Applicant and his wife, and therefore, the Respondents are directed to file reply. The copies of FIR and other documents are taken on record and marked as Annexure 'X' for identification.</p> <p>6. No appeal has been filed against the order of suspension, but that can be understood because the Applicant is going to retire on 30th September, 2018. However, considering the allegations against the Applicant, it will be in the interest of justice to direct the Respondents to file Affidavit-in-reply.</p> <p>7. S.O. to 21st September, 2018 for filing reply. The claim of interim relief will be considered on filing reply.</p> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman 07.09.2018</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
<p>DATE : <u>7/9/2018</u></p> <p>CORAM : <u>J. D. Kulkar</u> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>M. D. Lonkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>The O.A. is allowed.</u></p> <p style="text-align: right;"><i>BTE</i></p>	<p style="text-align: center;"><u>O.A.442/2018</u></p> <p>Mr. R.M. Tawade ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned P.O. for the Respondents.</p> <p>2. The Applicant in this O.A. is claiming following reliefs.</p> <p style="padding-left: 40px;">(a) This Hon'ble Tribunal be pleased to hold and declare that the Petitioner is entitled to receive all pensionary benefits consequent upon his retirement on superannuation and the Respondents be directed to release the arrears of pension as well as regular pension forthwith, along with interest thereon @ 12% p.a. with effect from the date on which payment of pension was due and payable till realization.</p> <p style="padding-left: 40px;">(b) Pending the hearing and final disposal of the present O.A, Respondents be directed to pay to the Petitioner arrears of provisional pension and continue to pay the provisional pension regularly, on such terms and conditions as this Hon'ble Tribunal may deem fit and proper."</p> <p style="text-align: center;"><i>From</i></p> <p>3. On the admitted facts and the record, it seems that the Applicant was appointed as Police Constable on 16.06.1979, was promoted as Police Naik in 2001 and thereafter, as a Head Constable in 2008. He got retired on superannuation on 31.1.2016.</p> <p>4. Initially for six months, he received the provisional pension but the said provisional pension also has been stopped. Now, he is neither receiving</p>

provisional pension nor regular pension or any pensionary benefits.

5. The learned P.O. submitted that the proposal for provisional pension was submitted to the A.G, but the A.G. rejected the same on the ground that, as per Rule 126(6)(a), no further extension of provisional pension beyond one year will be admissible.

6. The regular pension has not been granted on the ground that the leave period from 26.12.1982 to 29.02.1991 has not been regularized. The learned P.O. submits that a proposal in this regard has already been submitted to the Government and the same is under consideration. The copy of such proposal is placed on record at Paper-book Page No.18 (Exb. 'G'), dated 16.02.2018.

7. In short, the Applicant could not receive provisional pension beyond six months and regular pension because of non regularization of leave. The proposal is pending since February, 2018.

8. Considering all these aspects, admittedly, the Applicant is not responsible for getting regular pension or provisional pension beyond six months. Hence, I pass the following order.

ORDER

The Original Application is allowed. The Respondent No.1 is directed to take decision on the proposal dated 16.02.2018 as regards regularization of leave period of Applicant as per its own merits within two months from the date of this order and immediately thereafter, the pensionary benefits shall be granted to the Applicant as may be admissible in law.

In the meanwhile, the Respondent No.4 is directed to pass an order regarding release of provisional pension till the regular pension is granted to the Applicant. No order as to costs. Hamdast.

Sd/-
(J.D. Kulkarni)
Vice-Chairman
07.09.2018

**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>7/9/18</u></p> <p>CORAM Honble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri Applicant in person</p> <p>Advocate for the Applicant Shri Ms. S.P. Manchekar (sgj)</p> <p>C.P.O./P.O. for the Respondent/s</p> <p>AP/RC M.A. is allowed.</p> <p><i>(Signature)</i></p>	<p><u>M.A. No.457 of 2018 in O.A. No.651 of 2018</u></p> <p>R.V. Somane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Applicant in person and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This MA is for restoring the OA which was dismissed for want of prosecution. The applicant has appeared in person and pleads ignorance about the procedure.</p> <p>3. For the reason stated therein MA is allowed and OA is restored to file.</p> <p>Sd/- (P.N. Dixit) Member (A) 7.9.2018</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.651 of 2018
<p>DATE <u>7/9/18</u></p> <p>CORAM Honble Shri P.N. DIXIT (Member) A</p> <p>APPEARANCE: Shri Applicant in person</p> <p>Advocate for the Applicant Shri Ms. S.P. Manchekar</p> <p>C.P.O./D.O. for the Respondent/s 28/9/18</p> <p><i>(Signature)</i></p>	<p>R.V. Somane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Applicant in person and Mis S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue fresh notice returnable on 29.9.2018.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for 'final disposal' need not be issued.</p> <p>4. Applicant is authorize 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>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.</p> <p>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.</p> <p>7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member A) 7.9.2018</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>7/9/18</p> <p>P.N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> <u>C.R. Nagare</u> for the Applicant</p> <p><u>Ms. S.P. Manchekar</u> for the Respondents</p> <p><u>Ld. Advocate for the Applicant</u> as at liberty to mention by proper circulation today.</p>	<p><u>O.A. No.781 of 2018</u></p> <p>S.C. Shingade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.R. Nagare, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO relies on the order dated 7.8.2017 passed by the Hon'ble High Court in W.P. No.8761 of 2017 Pooja Hemant Vs. MPSC & Anr. She therefore, opposes the prayer made by the Ld. Advocate for the Applicant.</p> <p>3. Ld. Advocate for the Applicant states that the order issuing interim relief has been passed on 6.9.2018 by the Hon'ble Chairman in OA No.802 of 2018 S.T. Ghodake Vs. The State of Maharashtra & Ors.</p> <p>4. In view of the foregoing the matter may be placed before the Hon'ble Chairman for appropriate directions.</p> <p>5. Ld. Advocate for the Applicant is at liberty to mention by proper circulation today.</p> <p>(sgl)</p> <p>Sd/- (P.N. Dixit) Member (A) 7.9.2018</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 781 OF 2018

DISTRICT : PUNE

Ms Swati Baban Shingade

)...**Applicant**

Versus

The State of Maharashtra

)...**Respondents**

Shri Chetan R. Nagare, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Shri Justice A.H Joshi (Chairman)**

DATE : **07.09.2018**

ORDER

1. Heard Shri Chetan R. Nagare, learned advocate for the Applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents

2. This matter is placed before me in view of order passed by Hon'ble Member (A) today.

3. The relief sought in the O.A is opposed by learned C.P.O, relying upon the order passed by Hon'ble High Court in W.P 8761/2017.

4. Perused the order in W.P 8761/2017. It is seen that the examination which was scheduled on 6.8.2017 was already held and W.P was heard and order was passed on 7.8.2017. The text of the order passed by Hon'ble High Court does not reveal adjudication and all that it reveals is dismissal of petition.

It is not shown that Hon'ble High Court has held that candidate who had applied in any reserved category cannot be considered in open general category.

5. Heard on interim relief. Applicant has pointed out that:-

- (a) Applicant belongs to N.T.C category.
- (b) Applicant has secured 59.75 marks in preliminary exams.
- (c) Cut off for open female is 59 marks.
- (d) Cut off for NTC general is 65 marks.
- (e) Applicant is liable to be placed in open competition category in view of her marks, which is denied relying on the General Administration Department's circular dated 13.08.2014.
- (f) According to the applicant she qualifies for appearing for Main Examination which is due on 14.10.2018 for which last date for submitting requisite forms is 11.9.2018, if she is considered in open general category.
- (f) In view of law as is reiterated in case of **Asha Ramnath Gholap V. President, District Selection Committee/Collector, Beed and others, 2016 (3) ABR 376 (Aurangabad Bench)**, Applicant cannot be denied chance in open merit/open competition category.

6. In view of the foregoing facts and law as it stands, it is necessary in the interest of justice that the applicant be permitted for main examination, 2018 for the post of Sub Inspector, State Excise to be able to compete in open competition as well.

7. Hence, interim relief is granted in terms of prayer clause 9(a), which reads as follows:-

“9 Interim order prayed for:-

(a) Pending hearing and final decision of this Original Application, this Tribunal may be pleased to direct the Respondent no. 3, the Maharashtra Public Service Commission to allow the applicant to fill up the form for the Main Examination which will be held for the post of Sub Inspector in State Excise Department from open female category.

(Quoted from page 8 of the paper book of O.A.)

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

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

10. S.O. to 26.11.2018.

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

Place : Mumbai
Date : 07.09.2018
Dictation taken by : A.K. Nair.