

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

Tribunal's orders

Date : 08.04.2019.

M.A. No.567 of 2018 in O.A.No.942 of 2018

S. G. MohiteApplicant

Versus

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

1. Heard Smt. Sonali Humane holding for Smt. R. Todankar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has filed the present M.A. to condone the delay of two years in filing O.A. wherein the challenge is to the suspension order dated 16.01.2015.
3. The Applicant was appointed as Police Patil of village Bhatgaon, Tal. Guhagar, Dist. Ratnagiri by order dated 16.01.2015, he was suspended invoking the Rule 9 of the Maharashtra Police Patil Act, 1967 on the allegation of misconduct.
4. The Applicant has preferred an appeal before the Additional Commissioner which came to be dismissed on 30.06.2016. Thereafter, the Applicant has filed W.P. No.10066/2016 challenging the orders of suspension as well as appellate authority. However, the Hon'ble High Court by order dated 09.07.2018 disposed of the W.P. with liberty to the Applicant to approach the Maharashtra Administrative Tribunal by filing O.A. Accordingly, the Applicant has filed the present O.A. on 23.10.2018.
5. It is on the above background, the Applicant prayed for condonation of delay in filing O.A..
6. The Respondents have not filed the reply despite enough chances.
7. It is really surprising that though the Applicant was suspended by order dated 16.01.2015, thereafter no steps have been taken to initiate the D.E. or any other appropriate proceeding and the Applicant is kept under prolonged suspension. The time spent by the Applicant in pursuing remedy before the Hon'ble High Court needs to be excluded for the purpose of limitation u/s 14 of the Limitation Act.
8. Apart in view of the prolonged suspension without taking any further steps for initiating D.E. or any other appropriate proceeding, this seems to be the case of continuous cause of action.
9. For the aforesaid reason, the M.A. is allowed.
10. Misc. Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders
Date : 08.04.2019.

O.A.No.942 of 2018

S. G. MohiteApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. Sonali Humane holding for Smt. R. Todankar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In view of the order passed in M.A.No.567/2018 in O.A.942/2018, the delay is condoned.
3. Issue notice before admission returnable on 25.04.2019.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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.
6. 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.
7. 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.
8. 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.
9. S.O. to 25.04.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Date : 08.04.2019. Tribunal's orders

O.A.No.530 of 2018

S. C. CharateApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. None for the Applicant. Heard Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. During pendency of this O.A., the Respondent Nos.3 and 4 have been impleaded as party Respondents by order passed in M.A.No.57/19 in O.A. No.530/18 on 18.02.2019 however they have not filed reply.
3. Perusal of the record reveals that the notices are not issued to Respondent No.3 and 4 after they impleaded as Respondent Nos.3 and 4.
4. Issue notice before admission to Respondent No. 3 and 4 returnable on 02.05.2019.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. 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.
7. 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.
8. 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.
9. 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.
10. S.O. to 02.05.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

(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 08.04.2019
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O.A No 04/2018

Shri S.M Jadhav & Ors ... Applicants

Vs.

The State of Maharashtra & Ors... Respondents

DATE : 8/4/19,

CORAM :

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

APPEARANCE:

Shri/Smt. A.N. Bandiwadkar

Advocate for the Applicant

Shri/Smt. S.P. Mangalekar
C.P.O./P.O. for the Respondent/s 1/23

Adj./S.O. to

*None for the Respondents no. 4 to 79.
S.O to 11/4/19. a
Steno copy and
Hardball is granted.*

e

1. Heard Shri A.V Bandiwadkar with Shri C.T Chandratre, learned advocate for the applicants, Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents no 1 to 3 and none for Respondents no 4 to 79.

2. Learned CPO prays for permission to withdraw the affidavit of Shri Arvind G. Jadhav, Dy Assistant to the I.G.P, at page 267A onwards and prays for leave to file plain apology.

3. In view of request of learned CPO and Shri A.G. Jadhav, who is present, affidavit at page 267A onwards is struck off.

4. Time is granted for tendering affidavit of apology.

5. S.O to 11.4.2019.

6. Steno copy and Hamdast is granted. Learned CPO is directed to communicate this order to the Respondents.

[Signature]

Sd/-

(A.H Joshi, J)
Chairman

Akn

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

Tribunal's orders

Date : 08.04.2019.

O.A.No.283 of 2019

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

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Issue fresh notice returnable on 20.06.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 20.06.2019.

Sd/-

(A.H. Joshi, 
Chairman

prk

DATE : 8/4/19.

CORAM :

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

APPEARANCE:

Shri. V. B. Patil

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj./S.O. to Heard

order passed in
Tribunal column
SO No 2016/19.



IN

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 : 08.04.2019.</p> <p>O.A.No.185 of 2019</p> <p>M. K. GangawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Advocate for the Applicant and Smt. Archana B. K. holding for Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the Applicant has sought direction to Respondent Nos.3 and 4 to release his retiral benefits which seem to have been withheld despite his retirement on 31.05.2012.</p> <p>3. Perusal of O.A. reveals that the Applicant was working as Talathi. He was prosecuted in Criminal Case filed u/s 7 and 13(i) (d) read with section 13(2) of Prevention of Corruption Act in which he was acquitted by the learned Special Judge, Nashik on 14.03.2012 i.e. before his retirement. The State Government has filed appeal against acquittal, which is sub-judice before the Hon'ble High Court.</p> <p>4. In Affidavit-in-Reply, the Respondents contend that the D.E. was also initiated against the Applicant and it is on the verge of completion.</p> <p>5. In so far as the Criminal Case is concerned, the Applicant having ^{is} acquitted from all the charges levelled against him. Therefore, the filing of appeal against acquittal cannot be the ground to withhold the retiral benefits.</p>

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

Tribunal's orders

-2-

6. In so far as the D.E. is concerned, it also ought to have been completed by this time. The D.E. proceeding needs to be expedited by passing final order therein so as to release the retiral benefits of the Applicant as per the decision to be passed in D.E.

7. In view of above, the O.A. can be disposed of with suitable directions. Hence the following order.

ORDER

- (A) The Original Application is disposed of with directions to the Respondent No.3 to complete the D.E. proceeding within two months from today and shall pass appropriate final order in D.E.
- (B) The Respondent No.3 further directed to release the retiral benefits of the Applicant subject to the outcome of D.E. within two months from the date of passing of final order in D.E.
- (C) If the Applicant feels aggrieved by the decision in D.E., he can avail recourse of law.
- (D) No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 08.04.2019.
	O.A.No.781 of 2016
	M. R. GhateApplicant
	Versus
	The State of Maharashtra & Ors. ...Respondents.
	1. Heard Shri B. A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. In view of the order passed in M.A. No.113/2019 in O.A781/16, the delay is condoned.
	3. Original Application No.781 of 2016 be kept for hearing at the stage of admission.
	4. S.O. to 30.04.2019.
	Sd/-
	(A.P. Kurhekar) Member(J)
vsm	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.04.2019.</p> <p>O.A.No.1062 of 2018</p> <p>A. S. Tandel & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Advocate for the Applicants and Ms N. G. Gohad holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondents No.1. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission along with other connected matters in O.A.1066/2018 and O.A.1067/2018.</p> <p>4. S.O. to 24.04.2019.</p> <p>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
	<p>Date : 08.04.2019.</p> <p>O.A.No.1128 of 2018</p> <p>A. M. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 30.04.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Date : 08.04.2019. Tribunal's orders

M.A. No.113 of 2019 in O.A.No.781 of 2016

M. R. GhaeApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri B. A. Bandiwadekar , learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. O.A. No.781/2016 is filed for declaration that the Applicant is entitled for the benefits of Time Bound Promotion scheme. In the order dated 22.04.2016 issued by the department his name did not figure and, therefore, he was excluded from the benefits of Time Bound Promotion and hence he has approached this Tribunal.
3. Misc. Application is filed for declaration that the O.A. is filed within a period of limitation of one year.
4. Despite grant of enough chances, the Respondents failed to file reply in M.A.
5. The Applicant is still in service and main contention in O.A. is that his case ought to have been considered by the D.P.C. year to year so as to assess ACR's of preceding five years but the same is not done by the department. Therefore, he has approached this Tribunal. Thus, this seems to be the case of continuous cause of action.
6. Whether the Applicant is entitled to the benefits of Time Bound Promotion will be determined in O.A. proceeding.
7. Presently, for the reasons stated in M.A. is allowed.
8. In view of above, Misc. Application is disposed of.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders

Date : 08.04.2019.

O.A.No.282 of 2019

I.B. Mane

....Applicant.

Versus

The State of Maharashtra & Ors.

....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Issue fresh notice returnable on 20.06.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 20.06.2019.

DATE : 8/4/19.

BY :

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

APPEARANCE :

Shri A.V. Bandiwadekar

Ms. S.P. Manchekar

Chief Presenting Officer


Adj.S.O. to Head

order passed in
Tribunal column

S.O. 20/6/19.



Sd/-

(A.H. Joshi, )
Chairman

**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: 8/4/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.N. Dixit (Member) A</p> <p>APPEARANCE: Shri/Smt. C.T. Chandratre Advocate for the Applicant Shri/Smt. S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: leave to amend the O.A. for substituting memo of O.A. leave granted. Liberty to circulate.</p> <p><i>prk</i></p>	<p>Date : 08.04.2019</p> <p>O.A.No.382 of 2016 (O.A.No.153/2016 at Aurangabad)</p> <p>Shaikh A.A. Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.</p> <p>2. Learned Advocate Shri C.T. Chandratre for the Applicant prays for leave to amend the O.A., for substituting memo of O.A., if necessary add annexures and furnish fresh index.</p> <p>3. Leave granted.</p> <p>4. Liberty to circulate.</p> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, Chairman)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 236 OF 2019**

DISTRICT : MUMBAI

Shri G.G Waghmare)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

Shri K.R Jagdale, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

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

DATE : **08.04.2019**

ORDER

1. Heard Shri K.R Jagdale, learned advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. This Tribunal had heard present O.A and had passed order on 12.3.2019 as follows:-

1.
2.
3.
4.
5.
6.
7.

8. In the meantime, Respondent No.1, Secretary, Higher and Technical Education Department, is directed as follows:-

- (a) He shall himself call for papers.
- (b) Read those himself.



- (c) Ascertain as to whether applicant took charge of the post of Dean, Sir J.J. Institute of Applied Arts on 01.03.2005, unauthorizedly and on his own.
 - (d) See as to whether order dated 24.09.2004, page 18, Exhibit-'C', issued by the Government is a genuine document and what is its effect.
 - (e) Is it possible to hold in law and on fact, that applicant had assumed the additional charge of the post of Dean on 01.03.2005, illegally and unauthorizedly and what are the reasons thereof.
 - (f) After completing entire exercise as directed on points hereinbefore, he shall file his own affidavit, opposing O.A, if he decides to oppose the O.A.
9. In case corrective measures are taken and applicant's demand is conceded, affidavit in reply need not be filed.
10. Steno copy and Hamdast is allowed to learned P.O..
11. Learned P.O. is directed to communicate this order to the Respondents.
12. S.O. to 02.04.2019."
3. Today learned P.O states on instructions from Shri Utekar, Sr. Section Officer that the papers were seen by Shri Tidke, Deputy Secretary, however, were not shown to the Secretary.
4. Issue show cause to Shri Tidke, Deputy Secretary to show cause as to why he should not be personally saddled with costs of Rs. 50,000/- for his having become instrumental to disobey the order passed by this Tribunal.
5. Also issue notice of show cause of Rs. 25,000/- to Shri Sourabh Vijay, Secretary, for slack supervision due to which his Deputy Secretary could connive at the direction issued by this Tribunal.
6. Reply by both Officers be filed on or before 11.4.2019.
7. Learned P.O was called to state as to whether this notice be served by this Tribunal. Learned P.O states that she would communicate this order.

8. S.O to 11.4.2019.

9. Hamdast and Steno copy is granted. Learned P.O is directed to communicate this order to the Respondents.

Sd/-

(A.H. Joshi/J.)
Chairman

Place : Mumbai

Date : 08.04.2019

Dictation taken by : A.K. Nair.

D:\Anil Nair\Judgments\2019\Apr-2019\O.A 236.19, Leave Encashment challenged, SB.
Chairman, Int. order.doc

(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>8/4/19</u></p> <p>CORAM :</p> <p>Honble Justice Shri A. H. Joshi (Chairman)</p> <p><u>A.V. Bandiwadkar</u></p> <p><u>Miss S.P. Mandeekar</u></p> <p>C.P.O. for the Respondents</p> <p>Adj./S.O. to <u>9/4/19</u></p> <p><u>[Signature]</u></p>	<p><u>08.04.2019</u></p> <p><u>C.A 10/2019 in O.A No 957/2011</u></p> <p>Shri M.L Karangale ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri A.V Bandiwadkar, learned advocate for the applicant and Ms Swati Mancehkar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O prays for time till tomorrow for enabling the Government to take steps for due compliance or order passed by this Tribunal in O.A 957/2011.</p> <p>3. S.O to 9.4.2019.</p> <p style="text-align: right;">Sd/- <u>[Signature]</u> (A.H Joshi, J) Chairman</p> <p>Akn</p>

08.04.2019

O.A No 256 with 257/2019

Dr Shripad D. Kulkarni
Dr Pramod D. Shendge ... Applicants
Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Ms Kalyani Tulankar instructed by Shri Ashish Pawar, learned advocate for the applicants and Ms Swati Manicehkar, learned Chief Presenting Officer for the Respondents.

2. Learned advocate for the applicants prays for leave to amend to add proper parties.

3. Leave as prayed for is granted.

4. Issue notice to added Respondents returnable on 2.5.2019.

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

6. Applicants are 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.

7. 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.

8. 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. Applicants are directed to file affidavit of compliance and notice.

9. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

10. S.O to 2.5.2019.

Sd/-

(A.H Joshi, J.)
Chairman

DATE 8/4/19.

CO. No.

Hon'ble Justice B. V. Patil (Chairman)

APPEARANCES

Ms Kalyani Tulankar i/b/ Ashish Pawar

Adv. for the Applicants

Miss S.P. Manojkar

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

Adj./S.O. to 2.5.19

Heard
order passed in
Tribunal column

with O.A 257/19.

(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 08.04.2019
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O.A No 300/2019

Shri Dilip S. Pawar ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Mancehkar, learned Chief Presenting Officer for the Respondents.
2. Issue notice returnable on 25.4.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.
7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. S.O to 25.4.2019.

Sd/-

(A.H Joshi, J.)
Chairman

DATE : 8/4/19
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:
Shri. C.T. Chandratre

Advocate for the Applicant

Shri. S.P. Mancehkar
C.P.O./P.O. for the Respondent's

Adj. S.O. to 25/4/19

Hand
order passed in
Tribunal Column

08.04.2019

M.A 186/2019 in O.A No 300/2019

Shri Dilip S. Pawar ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

DATE : 8/4/19.

CORAM :

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

APPEARANCE:

Shri/Smt. : C.T. Chandratre

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj./S.O. to 25/4/19.

Heard
order passed in
Tribunal Column

f

1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.
2. Issue notice returnable on 25.4.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.
7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
8. Respondent no. 2 is directed to file affidavit furnishing information sought for through para 5 of M.A and supporting documents if any on or before the next date.
9. S.O to 25.4.2019.

Sd/-

A. H. Joshi

M

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>8/4/2019</u></p> <p>CORAM Hon'ble Mr. H. Jeshi (Chairman) Hon'ble Mr. P. H. Patil (Member) A</p> <p>APPEARANCE Shri. B. R. Deshmukh Shri. K. S. Gaikwad, Ld. S.O. for Respondents 1 to 3. Shri. G. A. Bandiwadkar for R.A. Ad. To. <u>25/4/2019</u></p> <p style="text-align: right;"><i>MJE</i></p>	<p style="text-align: center;"><u>O.A. No.119 of 2019</u></p> <p>A.T. Sakore ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.R. Deshmukh, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 to 3 & 5 and Shri G.A. Bandiwadkar, learned Advocate for Respondent No.4.</p> <p>2. I.d. Advocate for the applicaht mentions that he has completed the inspection of respondent no.1. However, he has not been able to do the same in respect of respondents no.2 & 3.</p> <p>3. I.d. PO mentions that respondents no.2 & 3 will be informed once again and also ensure that necessary inspection will be provided.</p> <p>4. S.O. to 25.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</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>DATE: <u>8/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble J. _____ (Chairman)</p> <p>Hon'ble S. <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE:</p> <p>Advocate: <u>Suresh Ghamre</u></p> <p>Advocate for the Respondent: <u>Smt. Archana B.K., Ld. Pt.</u> <u>for the R/s.</u></p> <p>OA is allowed to be withdrawn and disposed off.</p> <p><i>YFC</i></p>	<p><u>O.A. No.228 of 2019</u></p> <p>V.S. Utikar .Applicant Vs. The State of Maharashtra & Ors. .Respondents</p> <p>Heard Shri Suresh Ghamre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant on instructions from the applicant, who is present in the Court, seeks leave to withdraw the above OA with liberty to file fresh OA.</p> <p>3. OA is allowed to be withdrawn and disposed off as such with above liberty.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</p> <p>(sg)</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>8/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice <u>P. N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri <u>G. A. Bandiwadkar</u> Shri <u>N. P. Dalvi</u>, Ld. Counsel C.P.O. <u>for MPSC-Respondent</u></p> <p>Ad. To: <u>10/6/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p><u>O.A. No.790 of 2018 with O.A. No.482 of 2018</u></p> <p>V.R. Thok R.J. Shelke ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadkar learned Advocate for the Applicant and Shri N.P. Dalvi, learned Special Counsel for MPSC-Respondent.</p> <p>2. Shri Dalvi, Ld. Special Counsel for MPSC-respondent mentions that Hon'ble High Court has not yet concluded the matter and there is no change in the situation.</p> <p>3. S.O. to 10.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</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: 2/4/2019</p> <p>CORAM</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. Maheshkumar (Member) A</p> <p>APPEARANCE</p> <p>Shri _____ Applicant and Advocate for the Applicant are absent.</p> <p>Shri _____ Archana B.K. C.P.O.</p> <p>Ad. To..... Admit.....</p> <p style="text-align: right;"><i>B. Le</i></p>	<p style="text-align: center;"><u>O.A. No.913 of 2018</u></p> <p>A.R. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Id. CPO mentions that reply will be filed during the course of the day.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 9/4/2019</p> <p><u>CORAM:</u> Hon'ble Shri A. H. Joshi (Chairman) Hon'ble P.N. Dixit (Member) A</p> <p><u>APPEARANCE:</u> Sd/Smt V.P. Potbhare Advocate for the Applicant.</p> <p>Sd/Smt Neelima Gohad A.E.P.O./P.O. for the Respondent's</p> <p>Admit.</p> <p style="text-align: right;"><i>gk</i></p>	<p style="text-align: center;"><u>O.A. No.995 of 2018</u></p> <p>J.N. Gosavi & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. I.d. PO files reply on behalf of respondents no.3 &4 and the same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any and circulate.</p> <p style="text-align: right;">Sd/- (P.N./Dixit) Member (A) 8.4.2019</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>DATE: <u>8/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Applicant and Advocate</u> <u>As the applicants are absent.</u> Shri/Smt. <u>Archana B.K. Ld.</u> C.P.O./P.D. for the Respondent's <u>Id 2.</u> Shri <u>S.D. Patil Ld. Adv. holding for</u> As To <u>Shri S.M. Vakhare Ld Adv.</u> <u>for R.No 3.</u> <u>Admit</u></p>	<p><u>O.A. No.1108 of 2018</u></p> <p>P.R. Patankar ..Applicant Vs. .. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents No.1 & 2 and Shri S.D. Patil, learned Advocate holding for Shri S.M. Vakhare, learned Advocate for Respondent No.3.</p> <p>2. Id. PO mentions that reply will be filed during the course of the day.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</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>DATE: <u>8/4/2019</u></p> <p>COMMISSIONER</p> <p>Member for State of Maharashtra (Chairman)</p> <p>Member for State of Maharashtra (Member) A</p> <p>APPEARANCE:</p> <p>Shri. <u>Applicant and Advocate for the Applicants are absent</u></p> <p>Shri. <u>Archana B.K.</u></p> <p>C.P.O. <u>for the Respondents</u></p> <p>Ad. To. <u>30/4/2019</u></p> <p style="text-align: right;"><i>B.K.</i></p>	<p style="text-align: center;"><u>O.A. No.52 of 2019</u></p> <p>P.V. Shelke Patil & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicants and Advocate for the Applicants are absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. I.d. PO seeks three weeks time to file reply.</p> <p>3. S.O. to 30.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>8/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. P. N. Dixit (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Sonali Humane Lt. Adv.</u> <u>holding for Ms. Ranjana Todankar</u> Advocate for the Applicant Shri/Smt. <u>Archana B.K.</u> CFO/PO for the Respondent/s</p> <p>Adj. To. <u>15/4/2019</u></p> <p style="text-align: right;"><i>B.K.</i></p>	<p style="text-align: center;"><u>O.A. No.85 of 2019</u></p> <p>A.V. More ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sonali Humane, learned Advocate for Ms. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. I.d. PO states that she would seek instructions from the respondents as the Government has issued a GR extending superannuation age of the Medical Officers.</p> <p>3. S.O. to 15.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</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>DATE: <u>8/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice <u>Shri J. H. Jadhav</u> (Chairman)</p> <p>Hon'ble Shri <u>M. K. Patil</u> (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>G.A. Bandikwadkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u></p> <p>C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>Admit.</u></p> <p style="text-align: right;"><i>BTE</i></p>	<p style="text-align: center;"><u>O.A. No.107 of 2019</u></p> <p>N.K. Chiche ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandikwadkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. I.d. PO files reply on behalf of respondents no.1 & 2 and the same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 280 OF 2019**

DISTRICT : PUNE

Shri R.H Chavan)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

Shri K.R Jagdale, learned advocate for the Applicant.

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

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

DATE : **08.04.2019**

ORDER

1. Heard Shri K.R Jagdale, learned advocate for the Applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.
2. Issue notice returnable on 30.4.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
8. Principal Secretary, P.W.D is directed as follows:-
- (a) He shall call for the papers of O.A & D.E against the applicant.
 - (b) He shall read those himself.
 - (c) Take decision as to whether present is a fit case to conduct D.E.
 - (d) In case it is decided to hold the D.E, he shall direct the D.E to be conducted expeditiously.
 - (e) Before deciding as directed in prayer (c) & (d) above, it shall be open to the Principal Secretary to hear the applicant.
9. Affidavit of compliance be filed on or before 30.4.2019.
10. S.O to 30.4.2019.
11. Hamdast and Steno copy is granted. Learned P.O is directed to communicate this order to the Respondents.

Sd/-

(A.H. Joshi, J.)
Chairman

Place : Mumbai
Date : 08.04.2019
Dictation taken by : A.K. Nair.

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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8.04.2019

O.A 1180/2016

Shri R.M Janbandhu & Ors ... Applicants
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri Anil Jaiswar, holding for Shri R.G Panchal, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. Circulation note does not disclose what is the text in relation to which "speaking to minutes" is required.

3. Hence removed from Board.

~~DATE:~~ 8/4/2019

~~CORAM:~~

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

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

APPEARANCE:

Shri/Smt. Anil Jaiswar holding for
Shri R.G Panchal
 Advocate / Applicant

Shri/Smt. Neelima Gohad
 C.P.O / P.O. for the Respondent/s

Hence removed
from Board.

J.L.

Sd/-

(P. N. Dixit)
Member (A)

Alkn

Sd/-

(A.H Joshi, J.A)
Chairman

08.04.2019

O.A 100/2019

Dr K.L Pargaonkar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.

2. This Tribunal had issued notice on 13.2.2019 and incorporated specific show cause in para 3 thereof, which reads as follow:-

"3. Learned CPO Ms S.P Manchekar for the Respondents states on instructions that while the judgment of this Tribunal rendered at Nagpur Bench is confirmed before Hon'ble High Court, Government has decided to apply for Review before the Hon'ble High Court."

3. Today learned CPO states as follows that the Government has decided to file a review before Hon. High Court in W.P 6757/2017.

4. Learned CPO is not able to make a statement whether R.A is filed.

5. In the aforesaid situation the judgment rendered by M.A.T Nagpur bench in O.A 42/2016 as confirmed by Hon. High Court, by judgment and order dated 5th March, 2018 in W.P 6757/2017, governs the filed.

6.1 We are therefore left with only one course available, namely to allow O.A in terms of prayer 9(a) of present O.A for the same reasons recorded in O.A 42/2016 (Nagpur Bench) filed by Dr N.S Farkade.

7. In the facts and circumstances of the case parties are directed to bear their own costs.

DATE: 8/4/2019

CORAM:

Hon'ble Justice P.N. Dixit (Chairman)

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

APPEARANCE:

Shri A.V. Bandiwadekar

Advocate for Applicant

Shri Swati Manchekar

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

It is To: We are therefore

left with only one course available, namely to allow O.A. in terms of prayer 9(a) of present O.A.

P.N. Dixit

Sd/-

(P.N Dixit)
Member (A)

Akn

Sd/-

(A.H Joshi, W.P. 100/19)
Chairman

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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08.04.2019

O.A 312/2019

Shri D.P Koli ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri D.R Irle Patil, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.
2. Issue notice returnable on 24.6.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.
7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.
8. S.O to 24.6.2019.

DATE: 9/4/2019

CORAM:
 Hon'ble Justice Shri A. H. Joshi (Chairman)
 Hon'ble Shri M. P. Dixit (Member) A.

APPEARANCE:
 Shri/Smt.: D.R. Irle Patil

Advocate for the Applicant
 Shri/Smt.: Swati Manchekar

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

Ad. To: Issue notice returnable
 on 24/6/2019.

[Handwritten signature]

Sd/-

(P.N Dixit)
 Member (A)

[Handwritten signature]
 Sd/-

(A.H Joshi, J)
 Chairman

(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

08.04.2019

O.A 315/2019

Shri J.S Pandit ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri N.P Dalvi, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Issue notice returnable on 24.6.2019.

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

4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.

8. S.O to 24.6.2019.

Sd/-

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

Akn



Sd/-

(A.H Joshi, J)
Chairman

DATE :

8/4/2019

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri *P.N. Dixit* (Member) A

APPEARANCE :

Shri/Smt *N.P. Dalvi*

Advocate for the Applicant

Shri/Smt *K.S. Gaikwad*

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

Adj. To.....

Issue notice - returnable

on 24/6/2019.

PT

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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08.04.2019

O.A 215/2019

Shri A.N Bhalchandra ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.N Bhalchandra, applicant in person and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned CPO states on instructions that the Enquiry Officer has been changed and its copy is submitted to the applicant.

3. Applicant is present in person and states that he is satisfied and does not wish to press the O.A. It is hoped that the D.E should be completed expeditiously, preferably within two months from today considering that the charge is only based on documents and two witnesses.

4. Applicant undertakes to appear before the Enquiry Officer on 11.4.2019 and ask for further hearing and apply for day to day hearing

5. O.A is disposed of with liberty.

Sd/-

(P.N Dixit)
Member (A)

Akn

Sd/-

(A.H Joshi, *[Signature]*)
Chairman

DATE: 8/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt: A.N. Bhalchandra,
Applicant in person.
Advocate for the Applicant

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

Ad. To: O.A is disposed of
with liberty.

[Signature]

(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

08.04.2019

O.A 71/2019

Shri S.D Giri ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. None for the applicant and heard Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned CPO prays for filing reply. Time granted.

3. S.O to 4.6.2019.

DATE:

8/4/2019

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~M. Rameshwar~~ ^{P.N. Dixit} (Member) A

APPEARANCE:

Shri/Smt. : None for the applicant

Advocate for the Applicant

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

Adv. To

4/6/2019

File

Sd/-

(P.N Dixit)
Member (A)

Akn

Sd/-

(A.H Joshi, J.)
Chairman

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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08.04.2019

O.A 781/2018

Shri S.B Shingade ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.R Nagare, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.

2. Learned advocate for applicant states that he has instructions from the applicant to state that the applicant is selected. The purpose of filing present O.A, has outlived its purpose.

3. Hence O.A is disposed of.

DATE: 8/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt: C.R. Nagare

Advocate for the Applicant

Shri/Smt: Swati Manchekar

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

Adj. To..... Hence OA is disposed
of

file

Sd/-

(P.N Dixit)
 Member (A)

Akn

Sd/-

(A.H Joshi, J.)
 Chairman

**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>8/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri <u>P.N. DIXIT</u> (Member) A.</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>G.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To. <u>10/4/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.579 of 2018</u></p> <p>Dr. M.A. Waghmare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks adjournment till 10.4.2019.</p> <p>3. S.O. to 10.4.2019.</p> <p style="text-align: right;">Sd/- (P.N./Dixit) Member (A) 8.4.2019</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>DATE: <u>8/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri/Smt. : <u>Applicant and Advocate for the applicant are absent</u> Advocate for the Applicant Shri/Smt. : <u>S.P. Manchekar</u> C.P.O/ P.O. for the Respondent/s</p> <p>Aq. To <u>Admit</u></p> <p><i>To come up for final hearing in due course with liberty to file rejoinder if any.</i></p> <p style="text-align: right;"><i>File</i></p>	<p style="text-align: center;"><u>O.A. No.669 of 2018</u></p> <p>S.R. Varkhande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. I.d. CPO mentions that reply will be filed during the course of the day.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 8.4.2019</p> <p style="text-align: left;">(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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OA No.40/18 with MA No.214/18, OA No.41/18 with MA No.216/18, OAs No.646/17, 57/18, 161/18, 163/18, 332/18, 347/18, 348/18, 349/18, 357/18, 361/18, 381/18, 382/18, 383/18, 425/18, 443/18, 510/18, 512/18, 389/18, 395/18 659/18, 662/18, 664/18 and 720/18

M.C. Patil & Ors. ..Applicants
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri A.R. Rathod, learned Advocate for Applicants (in OAs No.40/18, 41/18, 347/18, 348/18, 349/18, 389/18, 395/18), Shri G.S. Shukla, learned Advocate for Applicant in OA No.646/17, Shri C.T. Chandratre, learned Advocate for Applicants (in OAs No.57/18, 443/18, 659/18 & 850/18), Shri C.R. Nagare, learned Advocate for Applicants (in OAs. No.161/18, 163/18, 332/18, 361/18, 381/18, 382/18, 383/18, 425/18, 510/18, 512/18, 662/18, 664/18 & 720/18), Shri K.R. Jagdale, learned Advocate for Applicant in OA No.357/18, Miss S.P. Manchekar, learned Chief Presenting Officer & Smt. K.S. Gaikwad, learned Presenting Officer for Respondents, Shri N.P. Dalvi, Ld. Special Counsel for MPSC, Ms. Vaishali Maindad, learned Advocate holding for Shri A.A. Desai, learned Advocate for Intervenor in OAs No.41/18, 57/18, 381/18 & 443/18.

2. Ld. CPO states that replies in most of the OAs listed above have been filed. She further mentions that similar matter has been mentioned before Hon'ble High Court as well as Hon'ble Supreme Court. On the other hand, the Ld. Advocates for the applicants states that they are of the unanimous opinion that similar matters have been decided by the Hon'ble High Court as well as this Tribunal namely WP No.92 of 2019 MPSC v. Rohini S. Sonwalkar decided on 10.1.2019, WP No.14073 of 2018 Ms. Alaka S. Mundhe Vs. The State of Maharashtra decided on 22.12.2018 & OA No.618 of 2018 M.S. Shinde Vs. The State of Maharashtra decided on 13.2.2019. Ld. Advocates for the applicants have tendered a copy of GR dated 19.12.2018 along with above orders and the same are taken on record.

3. In view of the same, Ld. Advocates for the applicants requests that the matters may be heard by Division Bench at the earliest.

4. Admit. To come up for final hearing in due course with liberty to circulate before the Division Bench.

Sd/-

(P.N. Dixit)
 Member (A)
 8.4.2019

(sgl)

DATE: 8/4/2019

CORAM:

Hon'ble Justice P.N. Dixit (Chairman)

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

APPEARANCE:

Shri A.R. Rathod, G.S. Shukla
 Shri C.T. Chandratre, C.R. Nagare,
 Shri K.R. Jagdale Ld. Adv. for Appls.
 Shri
 CPO/P.O. for Respondents
 Ms. S.P. Manchekar, M.G. Jadhav, Archana
 Adv. To B.K. MS. K.S. Gaikwad,
 Shri A.J. Chougale Ld. P.O.
 For Rspds.

Admit.

To come up for final hearing in due course with liberty to circulate before the division bench.

[Handwritten signature]

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

Tribunal's orders

Date : 08.04.2019.

M.A. No.185 of 2019 in O. A. No.347 of 2019

P. A. Gangarde

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Anand Gugale holding for Shri R. M. Kolge, learned Advocate for the Applicants and, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 03.06.2018.
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 seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 03.06.2019.

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
	<p>Date : 08.04.2019.</p> <p>O.A.No.922 of 2018</p> <p>C. R. NagaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Anand Gugale holding for Shri S.S. Deokar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submitted that reply will be filed during the course of the day. Statement is accepted. Reply be taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.04.2019.</p> <p style="text-align: right;">Sd/- (A. P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 08.04.2019.
	<p style="text-align: center;">D. A. No.346 of 2019</p> <p>B. S. AwaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard C.T. Chandratre, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 03.06.2019. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 03.06.2019. <p style="text-align: right;"> Sd/- (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
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Date : 08.04.2019.

O.A.No.254 of 2018

K. A. BhosaleApplicant

Versus

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

1. The Applicant and his Advocate both are absent. Heard Smt. Archana B. K., learned Presenting Officer for the Respondents. None for Respondent No.5.

2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent No.3. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission along with O.A. No.91 of 2019.

4. S.O. to 24.04.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

Date : 08.04.2019.

D.A.No.93 of 2019

R. J. KamaneApplicant

Versus

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

1. The Applicant and his Advocate both are absent. Heard Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. This matter is kept under the caption "Objection Matters" as the applicant has failed to remove the objections within time granted by the office.

3. The matter is of 2019 and the objections ought to have been removed. However, two weeks time is granted for compliance of office objections. If the objections are removed then the matter be kept under the caption "Admission" before the Tribunal on 30.04.2019.

4. If the objections are not removed within two weeks from today, the O.A. stands dismissed in default without making reference to the court.

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 : 08.04.2019.</p> <p style="text-align: center;">O.A.No.342 of 2019</p> <p>S. P. HadkeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Dhone holding for Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Perusal of O.A. reveals that the Applicant stands retired on 31.07.2016 but his retiral benefits are not paid. By order dated 01.08.2016, the provisional pension has been granted. Significantly, in the order dated 01.08.2016 itself there is specific mention that no D.E. is either pending or proposed against the Applicant. Thus, the regular retiral benefits seem to have been withheld without any justification or legal hurdle.</p> <p>3. Perusal of letter dated 08.02.2018 issued by the Government reveals that the service book of the Applicant is not traceable. Thus, it appears that the service book was to be reconstructed for finalizing retiral benefits of the Applicant.</p> <p>4. Needless to mention that it was for the department to maintain the service book and the Applicant cannot be held responsible for loss of the same at any rate. Till date, the period of more than 2 ½ years is over the service book is not reconstructed and the Applicant has been deprived of getting retiral benefits due to negligence on the part of the concerned department of the Respondents.</p>

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

Tribunal's orders

-2-

5. In view of above, issue notice before admission returnable on 15.04.2019 with direction that some responsible officer of the concerned department should remain present in the Tribunal to explain the delay in non-releasing the retiral benefits as observed above.

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

7. 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.

8. 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.

9. 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.

10. 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.

11. S.O. to 15.04.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm