

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

Date : 08.07.2019. Tribunal's orders

O. A. No. 566 of 2019

S. S. KambleApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Today, the matter is fixed for filing Affidavit-in-Reply. Perusal of O.A. reveals that the Applicant was earlier dismissed from service in view of his conviction in Criminal Case but later he was reinstated in service in view of acquittal in Appeal from Criminal Case. Therefore, by order dated 26.07.018, the Respondent No.3 passed the order u/r 70 of Maharashtra Civil Services (Joining Time, Foreign Service and Payment during suspension, Dismissal and Removal) Rules, 1981 (hereinafter referred to as 'MCS Joining Rule 1981' for gravity) whereby 50% of pay and allowances was granted for the period from 07.05.2016 to 29.10.2016 i.e. the period of which he was out of service. Being aggrieved by this Tribunal, the Applicant has filed appeal before the Respondent No.2 namely Special Inspector General of Police, Kolhapur Range, Kolhapur and it is sub Judice.
3. As the appeal is not decided within reasonable time, the Applicant has filed the present O.A.
4. The order dated 26.07.2018 is appealable order as per Rule 70 (V) (f) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. In fact, the applicant has already filed appeal and, therefore, O.A. is premature.
5. In view of above, Original Application can be disposed of with suitable directions. Hence the following order.

ORDER

- (A) O.A. is disposed of with direction to Respondent No.2 to decide the appeal dated 31.01.2019 filed by the Applicant against the order dated 26.07.2018 passed by the Respondent No.3 within three months from today
- (B) The decision, as the case may be, be communicated to the Applicant within two weeks thereafter.
- (C) If the Applicant felt aggrieved by the decision, he may avail legal remedy in accordance to law.
- (D) No order as to costs.

Sd/-

(A.P. Kurhekar)

**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 Date : 08.07.2019.
	<p align="center">O.A.No.636 of 2019</p> <p>Dr. A. D. SarodeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the challenge is to the transfer order dated 04.07.2019 on the ground that it is mid-term transfer but the same is not in consonance with Section 4(5) of the Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005'). Admittedly, the Applicant has completed the tenure and due for transfer. However, the impugned transfer order has been passed on 04.07.2019 and, therefore, the Applicant challenged it as mid-term transfer.</p> <p>3. The same transfer order dated 04.07.2019 has been challenged in this Tribunal in O.A. No.628/2019, O.A.629/2019 as well as O.A.No.622/2019 wherein on 05.07.2019, status quo order has been passed. While passing the status quo order, the Tribunal in Para Nos.5 and 6 held as follows:-</p> <p>5. <i>The learned P.O. has produced a file for perusal, which shows that the Hon'ble Chief Minister has only approved regular transfer and in respect of mid-term transfer, the Hon'ble Minister was asked to take decision at his level.</i></p> <p>6. <i>Thus, what emerges from the record that there is no approval of Hon'ble Chief Minister to mid-term transfers dated 04.07.2019. It appears that earlier powers of general transfer were delegated to the Secretary but it was withdrawn and Hon'ble Minister himself took over the powers. In that event also, the impugned transfer order being mid-term transfer, there has to be approval of preceding Competent Authority, as per Table attached to Section 6 of 'Transfer Act 2005', which is admittedly not complied with. This being the position, prima-facie, the impugned orders are not in accordance with the provisions of 'Transfer Act 2005'."</i></p>

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4. Learned Counsel for the Applicant made a specific statement that yet the Applicant is not relieved and is working on the same post.
5. In view of above, the status quo is granted to the impugned transfer order.
6. Hamdast and steno copy is granted.
7. Issue notice before admission returnable on 13.07.2019.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
12. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
13. S.O. to :30.07.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 08.07.2019.</p> <p>O.A.No.63 of 2019</p> <p>P. G. KumthekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondents and Shri M. B. Kadam, learned Counsel for Respondent No.3.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.2. 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 10.07.2019.</p> <p>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 : 08.07.2019.

O.A.No. 328 & 331 of 2019

P. H. Rathod & Ors.

V. M. Nathjogi & Ors.

....Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. In O.A.No.328/2019, forty-six Police Constables and in O.A.331/2019, three Police Constables who are presently working at Motor Transport Department i.e. on the establishment of Respondent No.1 are seeking repatriation. They were required to be repatriated to their original department in view of the policy decision reflected in Circular dated 02.04.2018 which has been taken on the basis of directions given by this Tribunal in earlier proceeding. As such, there is no denying that on completion of five years, the Applicants were required to be repatriated to their original department i.e. on the establishment of Respondent No.3 namely Additional Commissioner of Police, Armed Police Force, Mumbai.
3. In terms of order passed by this Tribunal on 26.06.2019, today, Shri J. A. More, Police Inspector, CRO-Armed Force is present on behalf of the Respondent No.3
4. Learned C.P.O. for the Respondents has also tendered the copy of order dated 05.07.2019 passed by the Additional Commissioner of Police, Armed Police Force, Naigaon, Mumbai whereby 50 Police Constables are now deputed in Motor Transport Department. Learned C.P.O. therefore submitted that after giving training to the batch of 50 Police Constables, the Applicants will be relieved within three weeks.
5. In view of above, both the Original Applications deserve to be disposed of with suitable directions. Hence the following order.

ORDER

(A) Both the Original Applications are disposed of with direction to Respondent No.1 to relieve the Applicants within three weeks from today so as to enable them to join their parent establishment.

(B) 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

Date : 08.07.2019 Tribunal's orders

O. A. No.627 of 2019

P. B. PawarApplicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 05.08.2019.
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. 5.O. to 05.08.2019.

Sd/-

(A.P. Kurhekar)
Member(I)

vsm

**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 : 08.07.2019.</p> <p>O.A.No. 1143 of 2018 with O.A.No.48 of 2019</p> <p>R.A. Bantwal R. D. Salaskar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. K. Mishra, learned Counsel for the Applicant (O.A.1143/2018) and Shri C.T. Chandratre, learned Counsel for the Applicants (O.A.48/2019). Ms N. G. Gohad holding for Shri S. D. Dole, learned Presenting Officer for the Respondents.2. Both the matters pertain to grant of retiral benefits.3. Enough time is granted for filing reply.4. Learned P.O. for the Respondents again seeks two weeks time. But again at this stage, Ms N.G. Gohad, learned P.O. stated that reply in O.A.No.1143/2018 will be filed during the course of the day. Statement is accepted. It be taken on record.5. In O.A.No.49/2019, enough time is granted and, therefore, I am not inclined to grant further time.6. Both the Original Applications be kept for hearing at the stage of admission.7. S.O. to 22.07.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.07.2019.</p> <p>O.A.No.50 of 2019</p> <p>V. T. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. D. Sugdare, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Though enough time is granted, again the learned P.O. for the Respondents seeks two weeks time for filing Affidavit-in-Reply.</p> <p>3. As enough time is granted which is more than six months, I am not inclined to grant further time.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 29.07.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(G.C.P.) J 2969(B) (50,000-3-2017)

[Spl.- MAT-F-2 E.

**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 : 08.07.2019.</p> <p>O.A.No.118 of 2019</p> <p>S. 8. RaghtwanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent Nos.1 to 3. It is taken on record.</p> <p>3. On the request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 22.07.2019.</p> <p>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

Date : 08.07.2019 Tribunal's orders

O.A.No.630 of 2019

D. M. GavhaneApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.
2. In the present O.A., the challenge is to the impugned order dated 26.04.2019 whereby the punishment of 33% deduction of pension is imposed.
3. Learned Counsel for the Applicant has urged that though the impugned order is passed in April, 2019 in terms of it itself, remaining pension of 67% ought to have been released but the same is not released and, therefore, the Applicant is deprived of getting pension.
4. Whereas, learned P.O. for the Respondents seeks time to take instructions from the Respondents.
5. Learned P.O. is directed to instruct the department to take further steps of releasing pension in terms of order dated 26.04.2019.
6. Issue notice before admission returnable on 05.08.2019.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. 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.
9. 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.
10. 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.
11. 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.
12. S.O. to 05.08.2019.
13. Hamdast and steno copy is granted.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 08.07.2019.</p> <p>M.A. No.328 of 2019 in O.A.No.354 of 2019</p> <p>C. Y. HaragudeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. P. Parab, learned Counsel for the Applicant and Ms N.G. Gohad holding for Shri S.D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submitted that Affidavit-in-Reply is under typing and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. The matter is adjourned for hearing on 29.07.2019.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.07.2019.</p> <p>O.A.No.1084 of 2018</p> <p>M.S.A. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. D. Sugdare, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Pleadings are complete. The present matter pertains to recovery and pension, therefore, it needs to be expedited.</p> <p>3. It be kept for hearing at the stage of admission with O.A.536/2018 (Group matters) already fixed on 11.07.2019.</p> <p>4. S.O. to 11.07.2019.</p> <p>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

Date : 08.07.2019. Tribunal's orders

O. A. No. 566 of 2019

S. S. Kamble Applicant
Versus
The State of Maharashtra & Ors. ... Respondents.

1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Today, the matter is fixed for filing Affidavit-in-Reply. Perusal of O.A. reveals that the Applicant was earlier dismissed from service in view of his conviction in Criminal Case but later he was reinstated in service in view of acquittal in Appeal from Criminal Case. Therefore, by order dated 26.07.2018, the Respondent No.3 passed the order u/r 70 of Maharashtra Civil Services (Joining Time, Foreign Service and Payment during suspension, Dismissal and Removal) Rules, 1981 (hereinafter referred to as 'MCS Joining Rule 1981' for gravity) whereby 50% of pay and allowances was granted for the period from 07.05.2016 to 29.10.2016 i.e. the period of which he was out of service. Being aggrieved by this Tribunal, the Applicant has filed appeal before the Respondent No.2 namely Special Inspector General of Police, Kolhapur Range, Kolhapur and it is sub judice.

3. As the appeal is not decided within reasonable time, the Applicant has filed the present O.A.

4. The order dated 26.07.2018 is appealable order as per Rule 70 (V) (f) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. In fact, the applicant has already filed appeal and, therefore, O.A. is premature.

5. In view of above, Original Application can be disposed of with suitable directions. Hence the following order.

ORDER

- (A) O.A. is disposed of with direction to Respondent No.2 to decide the appeal dated 31.01.2019 filed by the Applicant against the order dated 26.07.2018 passed by the Respondent No.3 within three months from today
- (B) The decision, as the case may be, be communicated to the Applicant within two weeks thereafter.
- (C) If the Applicant felt aggrieved by the decision, he may avail legal remedy in accordance to law.
- (D) No order as to costs.

Sd/-

(A.P. Kurhakar)

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

Date : 08.07.2019 Tribunal's orders
O.A.No.589 of 2019

R. B. SahuApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K. , learned Presenting Officer for the Respondents.
2. By order dated 21.12.2018, the Applicant was promoted to the post of Range Forest Officer at Panvel Forest Division, Alibag on vacant post. Thus, it seems that he was found eligible and qualified for the promotion post. He was promoted as well as posting was given to him. However, after seven days, by order dated 29.12.2018, the posting has been stayed on administrative ground. Thereafter, nothing happen for more than six months and, therefore, the Applicant has approached this Tribunal.
3. Having noted the facts of the case, the Tribunal on 27.06.202019 has passed specific order directing the learned P.O. to take appropriate steps and to file reply, if necessary so that the matter can be decided at the stage of admission. The Tribunal has also granted interim relief as per Prayer Clause 10(b) of the O.A..
4. Today, learned P.O. has pointed out that the Applicant has filed representation on 12.06.2019 and the same is under consideration. However, no explanation for keeping the matter in abeyance for more than six months is forthcoming. No justifiable reason is forthcoming as to why the Applicant is deprived from working on the promotional post. The Respondent No.2 is, therefore, obliged to decide the representation dated 12.06.2019 within stipulated period by passing appropriate order so that this O.A. can be disposed of expeditiously.
5. On the request of learned P.O., one week's time is granted for filing reply. In the meantime, the Respondent No.2 is directed to decide the representation dated 12.06.2019 and inform the Tribunal on the next date.
6. Hamdast and steno copy is granted.
7. S.O. to 15.07.2019.

Sd/-

(A.P. Kurhekar)
Member(I)

**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 : 08.07.2019.</p> <p>O.A.No.310 of 2019</p> <p>S. K. PawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit-In-Rejoinder. It is taken on record.</p> <p>3. As the pleadings are complete, the matter is admitted and fixed for final hearing in due course.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Date : 08.07.2019 Tribunal's orders

M.A. No.340 of 2019 in M.A.No.266 of 2019 in
O. A. No.1042 of 2018

Dr. S. S. PatilApplicant

Versus

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

1. Heard Shri G.M. Savagave, learned Counsel for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 05.08.2019.

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 05.08.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.07.2019.</p> <p>M.A. No.305 of 2019 in M.A. No.201 of 2019 in O.A.No.382 of 2019</p> <p>J. H. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. P. Chavan, learned Counsel for the Applicant and Smt. Kranti Galkwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, M.A. No.201/2019 which was filed for condonation of delay caused in filing O.A. was dismissed for non filing of Affidavit of Service.</p> <p>3. Learned Counsel for the Applicant submits that the Respondents were served privately and, therefore, Affidavit of Service could not be filed. He, therefore, prayed for restoration of M.A.No.201/2019.</p> <p>4. For the reasons stated in the application, M.A.No.305/2019 is allowed. M.A.N.201/2019 is restored to the file.</p> <p>5. As the Respondents are already served with the notices, no need to issue fresh notices. Learned P.O. is directed to take instructions and file reply to M.A.No.201/2019 on next date.</p>

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

6. Before parting with the order, it is necessary to mention that this Tribunal has noticed that the office is not following proper practice of making endorsement on the Farad where the matter is dismissed for non compliance of the order. Needless to mention that where any matter is dismissed for non compliance of the conditional order, the office is required to put note to that effect on the Farad to know the date of dismissal of the matter which can be also relevant for the purpose of limitation for filing restoration application.

7. In the present matter, no such order was passed by the office on Farad and, therefore, it was sent back to the office. Thereafter only, the office made note and sent the matter back.

8. In view of above, the Registrar is directed to take note of the above directions and shall issue circular so that it should not happen in future.

9. S.O. to 22.07.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.247 of 2019
<p>DATE : <u>8/7/2019</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A) V/C - A</p> <p>APPEARANCE: Shri <u>S.S. Dey</u>.....</p> <p>Advocate for the Applicant</p> <p>Srri/Smt. <u>S.P. Manchekar</u> C.F. O/P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>9/7/2019</u></p> <p style="text-align: right;"><i>File</i></p>	<p>K.P. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO mentions that as per instructions she proposes to file reply tomorrow.</p> <p>3. S.O. to 9.7.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.As. No.923, 1001 & 1023 of 2018
<p>DATE : 8/7/2019</p> <p>CORAM :</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Justice P. N. Dixit Member (A) V/C - A</p> <p>APPLT. Shri/ Shri/</p> <p>Advocate/ Applicant</p> <p>Shri/Smt. S. P. Manchekar</p> <p>C.F. /P.O. for the Respondent/s</p> <p>Adj. SO to (By consent adjourned) to 19/7/2019.</p> <p style="text-align: right;"><i>SGI</i></p>	<p>S.M. Nilkanth P.M. Koli A.A. Bhagwan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By consent adjourned to 19.7.2019. In the meanwhile the respondents are directed to clarify whether there is any vacancy in the same category.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p>(sgi)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A. No.575 of 2015 with M.A. No.377 of 2015</u>
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H.M. Kshirsagar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. Reply and rejoinder are already filed. At the request of Ld. CPO and Ld. Advocate for the Applicant the matter is admitted. To come up for final hearing in due course with liberty to circulate.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

DATE: 8/7/2019

CORAM:

Honble Justice Shri A. H. Joshi (Chairman)
Honble Justice N. Dixit Member (A) V/C - A
AF: V.P. Potbhare Ld. Adv.
SI: _____

(sgl)

Ld. Adv. for the Applicant

Shri/Smt. S.P. Manchekar
C.F. X.P.O. for the Respondent/s Admit.

Ad/S.O. to To come up for
final hearing in due course
with liberty to circulate.

M.A.
D.A.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance. Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.234 of 2018
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P.R. Wagh & Ors. ..Applicants
Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Ms. Sonali Humane, learned Advocate holding for Ms. Ranjana Todankar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks two weeks time to file reply.

3. At the request of Ld. Advocate for the applicants adjourned to 22.7.2019.

DATE: 8/7/2019

CORAM

Hon'ble Mr. J. Joshi (Chairman)

Hon'ble Mr. P.N. Dixit Member(A) V/C- A

APPE

Shri/MS. Sonali Humane Ld. Adv.

Ld. Advoc holding for MS Ranjana Todankar (sgl)
applicant

Sd/- S.P. Manchekar
C. for the Respondent/s

Adj/S.O. to 22/7/2019 at the
request of Ld. Adv. for the
applicants.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

Handwritten signature

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.817 of 2018
<p>DATE: 21/7/2019</p> <p>CORAM:</p> <p>Hon'ble Shri A. H. Joshi (Chairman)</p> <p>Hon'ble P. N. Dixit Member (A) V/C - A</p> <p>APPEARANCE:</p> <p>Shri/Smt. Ms. Sonali Humane, Ld. Adv. holding for Smt. Ranjana Todankar Applicant</p> <p>Shri/Smt. S. P. Manchekar C.F. W.P.O. for the Respondent/s</p> <p>Adj./ S.O. to 22/7/2019</p> <p style="text-align: right;"><i>ME</i></p>	<p>R.V. Khandekar ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sonali Humane, learned Advocate holding for Ms. Ranjana Todankar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks two weeks time to file reply.</p> <p>3. S.O. to 22.7.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.280 of 2019
<p>DATE: <u>8/7/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A) V/C - A</p> <p>APPEARANCE Shri/Smt. <u>K.R. Jagdale</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.F. P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>10/7/2019</u></p> <p style="text-align: right;"><i>ma</i> <i>D.</i></p>	<p>R.H. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The respondents are directed to report progress regarding the order issued by this Tribunal on 8.4.2019.</p> <p>3. S.O. to 10.7.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.776 of 2017
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N.A. Polani ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

- Ld. Advocate for the applicant seeks time to take instructions from the applicant.
- Ld. CPO states that the matter has become infructuous as the charge sheet has been issued on 6.9.2017 and Enquiry Officer has been appointed on 1.12.2018.
- At the request of Ld. Advocate for the applicant S.O. to 15.7.2019.

DATE: 8/7/2019
CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri P. N. Dixit Member (A) - V/C A
APPEARANCE: Shri/Smt. B.A. Bandiwadekar
Advocate for the Applicant
Shri/Smt. S.P. Manchekar
C.F. P.O. for the Respondent/s
Adj./S.O. to 15/7/2019 at the
request of Ld. Advocate for the
applicant.

Sd/-
(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

(sgl)

ME

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.625 of 2019

Y.V. Kesarkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar. learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 5.8.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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.

DATE: 8/7/2019

CORAM:

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

Hon'ble Shri P. N. Dixit (A) V/C - A

APPEARANCE:

Shri/Smt. B. A. Bandiwadkar

Advocate for the Applicant

Shri/Smt. S. P. Manchekar

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

Also to Issue notice

returnable on 5/8/2019.

B.A.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

(sg)

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.626 of 2019

B.J. Ghayal ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 5.8.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 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.

DATE: 8/7/2019

CORAM:

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

Hon'ble Shri P. N. Dixit Member (A) - V/C - A

APPEARANCE:

Shri/Smt. B. A. Bandiwadkar

Advocate for the Applicant

Shri/Smt. S. P. Manchekar

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

Adj./S.O. to Issue notice
returnable on 5/8/2019.

BTE

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.407 of 2019
<p>DATE: <u>8/7/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A) VIC- A</p> <p>APPEARANCE: Shri/Smt. <u>U.V. Bhasalkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.F./P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>22-7-2019</u></p> <p style="text-align: right;"><i>PN</i></p>	<p>S.S. Chougule & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks two weeks time to file reply.</p> <p>3. S.O. to 22.7.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.576 of 2019 with M.A. No.320 of 2019
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A.P. Patil & Anr. ..Applicants
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Ms. Madhavi Ayyapan, learned Advocate holding for Tale & Associates, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO states that she has not received instructions from the respondents and she is following the same.

3. At her request S.O. to 15.7.2019.

Sd/-

(P.N. Dixit)
 Vice-Chairman (A)
 8.7.2019

DATE: 8/7/2019

CORAM:

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

Hon'ble Shri P. N. Dixit Member (A) - V/C - A

APPEARANCE

Shri/Smt. MS. Madhavi Ayyapan, Ld.

Adv. holding for Tale & Associate
 Ld. Advocate Applicant

Shri/Smt. S.P. Manchekar

C.P.O. for the Respondent/s

At S.O. to 15/7/2019.

(sgj)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.62 of 2019
<p>DATE: <u>8/7/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble P. N. Dixit Member (A) V/C - A</p> <p>APPE: Shri/Smt. <u>U.V. Bhosale</u> Ld. Advocate holding for Shri M.R. Patil Ld. Advoc: the Applicant</p> <p>Shri/Smt. <u>Anish Khandekar</u> Ld. Adv. C.P.O. for the Respondent's for R. No. 1. Ms. <u>S.P. Manchekar</u> Ld. C.P.O. for R. 2. Adj. S.O. to S.O. to <u>22/7/2019</u>.</p> <p style="text-align: right;"><u>U.V.</u></p>	<p>H.B. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate holding for Shri M.R. Patil, learned Advocate for the Applicant, Shri Anish Khandekar, learned Advocate for Respondent No.1 and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.2.</p> <p>2. Ld. Advocate for Respondent No.1 seeks two weeks time to file reply.</p> <p>3. S.O. to 22.7.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 8.7.2019</p> <p style="text-align: center;">(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.71 of 2019
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S.D. Giri ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Applicant and Advocate for the Applicant are absent.
Heard Ms. S.P. Manchekar, learned Chief Presenting Officer
for the Respondents.

2. Ld. CPO produces a communication dated 1.6.2019
wherein the appeal made by the applicant to respondent no.2
has been decided. A copy of communication is taken on
record and marked 'X' for identification.

3. Place the above matter for dismissal on 15.7.2019.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
8.7.2019

DATE: 8/7/2019

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri P. N. Dixit Member (A) - U/C - A

APPEARANCE:

Shri/Smt. Applicant and Advocate for
the Applicant are absent.
Advocate for the Applicant

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

Ad/S.O to place the above
matter for dismissal on
15/7/2019.

(sgi)

File