

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A.No.57/2017

Mr. K.S. Patil & Ors.

... Applicants

V/s.

The State of Mah. & Ors.

... Respondents

1. Heard Mr. S.D. Patil, the learned Advocate for the Applicants and Mr. K.B. Bhise, the learned Presenting Officer for the Respondents. Shri S.D. Shinde, learned Advocate for Respondent No.2.
2. The Applicants have sought directions of this Tribunal to the Respondent No.3 to consider their applications for appointment in Government service on compassionate ground, and therefore, they prayed to direct the Respondents to rectify the waiting list prepared in that regard.
3. The learned Advocate for the Applicants has submitted that the Applicants have not received any communication from the Respondent No.2 as to whether the Respondent No.2 has considered and decided the representation made by the Applicants. He has submitted that he received the communication dated 6.4.2009 issued by Desk Officer of Govt. of Maharashtra addressed to Respondent No.2 and the said communication has not been served on the Applicants.
4. The learned Advocate has further submitted that till today, the Respondent No.2 has not taken any decision on their representations on the basis of communication dated 6.4.2009 and therefore, he prayed to direct the Respondent No.2 to consider the representations made by the Applicants as per the Rules.
5. The learned P.O. has submitted that, already the Government has informed the Respondent No.2 that there is no provision to consider the representations made by the Applicants. Only the said fact remained to be informed to the Applicants by the Respondent No.2.
6. The learned P.O. also submitted that, if this Tribunal directs the Respondent No.2 to take decision on

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the representations pending before it, then the Respondent No.2 will decide the application as per the Rules and will inform the Applicants accordingly.

7. On going through the record, it reveals that the Applicant moved the applications before the Respondent No.2 prior to the year 2008. The matter was referred to the Government by the Respondent No.2. The Government informed the Respondent No.2 by communication dated 6.4.2009 that there is no provision to consider such type of applications, but the said fact has not been informed by the Respondent No.2 to the Applicants.

8. The only grievance of the Applicants is that they do not know whether the decision has been taken by the Respondent No.2 on their representations. Therefore, it is just to direct the Respondent No.2 to take a conscious decision on the representations made by the Applicants pending before him within a period of two months and to intimate it to the Applicants in writing.

9. Therefore, the Respondent No.2 is directed to take decision on the representations of the Applicants pending before me within two months from the date of this order as per the Rules and inform the Applicants accordingly in writing.

10. In view of this, the O.A. is disposed of with no order as to costs.

Sd/-

(B.P. Patil)
Member (J)
08.12.2017

skw

DATE: 8/12/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member) J
B.P. Patil

APPEARANCE:

Shri/Smt. S. D. Patil

Advocate for the Applicant

Shri/Smt. K. A. Blise

C.P.O./P.O. for the Respondents
Shri. S. D. Shinde for R. No. 2

Adj. To

O.A. is disposed of


**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>8/12/17</u></p> <p>CORAM: Hon'ble Shri. RAHVAGARWAL (Vice-Chairman) Hon'ble Shri <u>R. B. MALIK</u> (Member) ✓ <u>B. P. Patil</u></p> <p>APPEARANCE: Shri/s <u>V. B. Dhage</u> Advocate for the Applicant Shri/smt. <u>K. S. Gaikwad</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To <u>S.O. to 18/12/17</u> </p>	<p align="center"><u>M.A.No.430/2017 in O.A.No.921/2017</u></p> <p>Mr. S.P. Kakade & Ors. ... Applicants V/s. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Mr. V.B. Dhage, the learned Advocate for the Applicants and Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. The Applicants have filed the application for permitting them to sue jointly on the ground that the Respondents have refused to grant 2nd benefit under Assured Career Progression Scheme.</p> <p>3. On perusal of the record, it reveals that the date of joining of each of the Applicants is different. Moreover, the dates of completion of 24 years of service are also different. Therefore, cause of action for each of the Applicants will be different.</p> <p>4. Prima-facie, it is seen ^{seems} that the separate application will have to be filed by each of the Applicants.</p> <p>5. The learned Advocate for the Applicant has prayed to grant a short time to satisfy the Tribunal on that point. Time granted.</p> <p>6. S.O. to 18th December, 2017.</p> <p align="right">Sd/- (B.P. Patil) Member (J) 08.12.2017</p> <p align="left">skw</p>

IN

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Tribunal's orders

O.A.No.674/2017

Mr. P.B. Nazirkhan ... Applicant

V/s.

The State of Mah. & Ors. ... Respondents

1. Heard Mr. S.P. Jagtap, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.

2. The Applicant has challenged the publication of final seniority list dated 9.5.2017 by filing the present O.A. The learned Advocate for the Applicant has submitted that the Applicant has filed the representation challenging the publication of final seniority list dated 9.5.2017 before the Divisional Commissioner, Pune and the same is pending.

3. He has submitted that in view of the pendency of the representation, the Applicant does not want to proceed with the O.A. and wants to withdraw the O.A. with liberty to file fresh O.A. on fresh cause of action.

4. The learned P.O. has submitted that necessary orders may be passed.

5. Since the Applicant does not want to proceed with the O.A. and wants to withdraw the O.A., therefore, the O.A. is disposed of as withdrawn with liberty to file fresh O.A. on fresh cause of action.

Sd/-

(B.P. Patil)
Member (J)
08.12.2017

DATE: 8/12/17

CORAM:

~~Hon'ble Shri. RAHV AGARWAL~~
(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member)

B.P. Patil

APPEARANCE:

Shri/Smt. S.P. Jagtap

Advocate for the Applicant

Shri/Smt. A.B. Kololgi

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

Adj. To O.A. is disposed
of as withdrawn.


**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> 8/12/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAHVAGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) J B.P. Patil</p> <p><u>APPEARANCE:</u> Shri/Smt. Applicant is absent.</p> <p>Advocate for the Applicant Shri/Smt. A.B. Kololgi</p> <p>C.P.O./P.O. for the Respondents No. 1403. A.V. Bandiwadekar for R. 4.</p> <p>Adj. To. 21/12/17</p> 	<p><u>M.A.507/2016 in O.A.No.1104/2016</u></p> <p>Mr. R.S. Pawar ... Applicant V/s. The State of Mah. & Ors. ... Respondents</p> <p>1. Applicant is absent.</p> <p>2. Heard Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents 1 to 3 and Mr. G.A. Bandiwadekar, the learned Advocate for Respondent No.4.</p> <p>2. The Applicant remained absent on previous date also. It is seen that the Applicant is not interested in conducting the matter. Hence, this O.A. is fixed for order of dismissal on 21st December, 2017.</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member (J) 08.12.2017</p> <p>skw</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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Tribunal's orders

O.A.No.1114/2017

Mrs. L.N. Soni

... Applicant

V/s.

The State of Mah. & Ors.

... Respondents

1. Heard Mrs. Kalpalata Patil, the learned Advocate for the Applicant and Mr. K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 15th December, 2017.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

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

8. S.O. to 15th December, 2017. Interim relief kept open.

Sd/-

(B.P. Patil)
Member (J)
08.12.2017

skw

DATE: 8/12/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL

(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. Kalpalata Patil

Advocate for the Applicant

Shri /Smt. K. B. Bhise

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

Adj. To S.O. to 15/12/17