

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A.560/2018 in O.A.774/18</u></p> <p>Shri N.N. Kulkarni ... Applicant Vs. The State of Mah. & ors. ... Respondents</p> <p>1. Heard Applicant in person and Shri A.J. Chougule, learned P.O. for Respondents.</p> <p>2. In view of Judgment passed in O.A.774/2018, dated 09.05.2019, the impugned transfer order is set aside and the Respondents are directed to reinstate the Applicant within two weeks.</p> <p>3. As such, in view of disposal of O.A, no fresh order is required to be passed in M.A. Accordingly, M.A.No.560/2018 is disposed of.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 09.05.2019</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram,
Administrative Tribunal's orders or
Directives and Registrar's orders

Date: 09.05.2019

O. A. No. 463 of 2019

N.D. HoleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 17.06.2019.
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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 17.06.2019.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

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

Date: 09.05.2019

O. A. No. 464 of 2019

B.W.Wankhede

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 17.06.2019.
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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 17.06.2019.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

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

Date: 09.05.2019

O. A. No. 448 of 2019 with M.A. 262 of 2019

H.P. Jaykar & Ors.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.A. Desai, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 11.06.2019.
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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 11.06.2019.

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: 09.05.2019

O. A. 409 of 2019

Dr. B.H. Tadvi

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. As observed by this Tribunal in order dated 22.04.2019 there was no signature of the Principal Secretary (Excise), on the minutes of Civil Services Board while approving transfer of the Applicant. It has been however, observed in the order that Principal Secretary (Excise) was out of station and her approval was obtained on Whatsapp messenger as it being emergent situation.

3. However, minutes of the PEB meeting now placed on record alongwith Affidavit-in-reply shows signature of the Principal Secretary (Excise). Adverting to this aspect learned counsel for the Applicant sought to contend that it is attempt to tamper record by putting signature on minutes of Civil Services Board.

4. In view of above it would be appropriate to direct Principal Secretary (Excise) to file Short Affidavit to explain the circumstances in which she placed her signature on Civil Services Board, to make things clear.

5. On request of P.O. time is granted for filing Affidavit of the Principal Secretary (Excise).

6. As a matter is already fixed on 04.06.2019. Affidavit to be filed on or before 04.06.2019.

7. S.O. to 04.06.2019, Hamdast granted.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)