

**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 : 10.01.2020
	<p style="text-align: center;">O.A.No.612 of 2019 with M.A. No.381 of 2019</p> <p>S. P. Mhalsdhune & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S. S. Dere holding for Shri M. M. Deshmukh, learned Counsel in M.A. No.381/2019 (Intervener Applicant)</p> <p>2. Learned C.P.O. for the Respondents and Shri S. S. Dere, learned Counsel for Intervener Applicant submit that Original Application has become infructuous as the Applicants are already joined training at Academy, Nashik on 07.01.2020.</p> <p>3. As such, grievances raised by the Applicants in O.A.No.612/2019 for directions for undergoing medical examination so as to join training program is redressed, and therefore, none is appearing on behalf of the Applicants.</p> <p>4. Original Application, therefore, dismissed in default.</p> <p style="text-align: right;">^ Sd/- v~ (A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">[P.T.O.]</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.01.2020</p> <p style="text-align: center;">O.A.No.1000 of 2019</p> <p>G.M. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Gaurav. A. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri M. B. Kadam, learned Counsel for Respondent No.2.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. S.O.to 04.02.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.01.2020</p> <p>O.A.No.580 of 2019</p> <p>D. S. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply to the amended portion of O.A. with annexures. It is taken on record.</p> <p>3. Matter is adjourned at the stage of admission.</p> <p>4. S.O. to 25.01.2020</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.399 & 400 of 2019</u></p> <p>Dr. D.V. Vedpathak (OA.399/19) Dr. C.D. Chapte (OA.400/19) ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Sukumar R. Ghanavat, learned Advocate holding for Shri P.P. Deokar, learned Advocate for Respondent No.4 in OA No.400/19.</p> <p>2. Shri J.S. Deshmukh, learned Advocate for the Applicants has filed leave note.</p> <p>3. Ld. CPO mentions that the facts and prayers mentioned in the above OAs are similar to the facts and prayers in OAs No.821 to 826 of 2019 decided by this Tribunal on 8.1.2020.</p> <p>4. Ld. CPO submits that present OAs can also be disposed off in terms of the above order dated 8.1.2020.</p> <p>5. In view of the above and for the reasons mentioned in the aforesaid judgment and order dated 8.1.2020, following order is passed.</p> <p>6. The respondent no.1 is directed to take suitable policy decision in respect of all the applicants as well as similarly situated persons. Both the above OAs are disposed off with the above directions. No orders as to cost.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1204 of 2019</u></p> <p>H.R. Das ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.H. Das, learned Advocate for the Applicant and Shri A.J. Chougule. learned Presenting Officer for the Respondents.</p> <p>2. Today, Ld. Advocate for the applicant has filed application for speaking to minutes of the order dated 6.1.2020 passed in the above OA. She states that in the title of the said order, the name of respondents is mentioned as The State of Maharashtra & Ors. instead it should be, 'The Additional Director General of Police, Maharashtra State'.</p> <p>3. The name of respondent in the title of order be corrected accordingly.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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	<p>Date : 10.01.2020</p> <p>O.A.No.197 of 2019 with M.A. No.106 of 2019 with M.A.484 of 2019 in O.A.197 of 2019.</p> <p>S. S. Jadhav & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S. S. Dere holding for Shri M. M. Deshmukh, learned Counsel in M.A. No.484/2019 (Intervener Applicant)</p> <p>2. Shri S. S. Dere, learned Counsel submits that similar matter is pending before Maharashtra Administrative Tribunal Aurangabad Bench and the order passed therein is challenged before the Hon'ble High Court Bench Aurangabad and the same is sub judice. He submits that now the matter is fixed for hearing before the Hon'ble High Court on 13.01.2020. He, therefore, requested for three weeks time.</p> <p>3. S.O. to 04.02.2020.</p> <p style="text-align: right;">Sd/- wv (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appasrance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.01.2020</p> <p>O.A.No.1018 of 2018</p> <p>T. B. Metakari & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is Division Bench matter but placed before the Single Bench. Enough time is granted for filing reply. Today, learned P.O. requested for two weeks time.</p> <p>3. As the matter is of 2018, it needs to be expedited on the request of learned P.O. one week time is granted as most last chance.</p> <p>4. S.O. to 17.01.2020.</p> <p style="text-align: right;">Sd/- Ww (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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
versus

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.01.2020</p> <p>O.A.No.1046 of 2019</p> <p>S. P. BhaweApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. Matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 31.01.2020.</p> <p style="text-align: right;">Sd/- w* (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
	<p>Date : 10.01.2020</p> <p>O. A. No.18 of 2020</p> <p>S. V. SalunkheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 07.02.2020. 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 07.02.2020. <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>O.A.No.612 of 2019 with M.A. No.381 of 2019</p> <p>S. P. Mhaisdhune & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S. S. Dere holding for Shri M. M. Deshmukh, learned Counsel in M.A. No.381/2019 (Intervener Applicant)</p> <p>2. Learned C.P.O. for the Respondents and Shri S. S. Dere, learned Counsel for Intervener Applicant submit that Original Application has become infructuous as the Applicants ^{have} are already joined training at Academy, Nashik on 07.01.2020.</p> <p>3. As such, grievances raised by the Applicants in O.A.No.612/2019 for directions for undergoing medical examination so as to join training program is redressed, and therefore, none is appearing on behalf of the Applicants.</p> <p>4. Original Application, therefore, dismissed in default.</p> <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member(J)</p>
	[P.T.O.]

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>R.A. No.12 of 2017 in O.A. No.808 of 2016</u></p> <p>J.M. Gurav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant is present in person. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks adjournment till 17.1.2020 for reporting progress regarding order dt. 30.9.2019 passed in the above matter.</p> <p>3. S.O. to 17.1.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1108 of 2019</u></p> <p>V.D. Suryawanshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 24.2.2020.</p> <p style="text-align: right;">Sd/- - (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.As. No.393, 394 & 396 of 2019</u></p> <p>P.M. Mire & Ors. H.H. Gaikwad J.Y. Waikar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri K.R. Jagdale, learned Advocate for the Applicants has filed leave note.</p> <p>3. Reply is already filed on behalf of the respondents.</p> <p>4. Admit. Place the above matters for final hearing on 13.1.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgi)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.386 of 2019</u></p> <p>D.R. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Vaibhav Birmole, learned Advocate holding for Shri D.V. Sutar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder. At his request adjourned to 17.1.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>R.A. No.20 of 2019 in O.A. No.1137 of 2018</u></p> <p>D.J. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that the only prayer he is pressing for is to remit the matter to respondent no.3 (DGP) by recalling the judgment and order dated 29.8.2019 passed by this Tribunal in the above OA No.1137 of 2018.</p> <p>3. Ld. CPO opposes the same and mentions that the matter has been decided on merits and the same cannot be remitted back at this stage by recalling the judgment and order.</p> <p>4. At the request of l.d. Advocate for the applicant adjourned to 6.2.2020.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.367 of 2019</u></p> <p>A.S. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kamlesh Ghumre, learned Advocate with Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that the applicant was working as Additional Commissioner from February, 2015 in Navi Mumbai Municipal Corporation (NMMC). On 28.12.2015 (Exh.B pg.24-25) an order was issued by the Respondent (Rural Development Department) promoting him to the rank of Additional Chief Executive Officer (Selection Grade). The order further stated as under:</p> <p>३. संबंधित विभागीय आयुक्त / मुख्य कार्यकारी अधिकारी, जिल्हा परिषद तथा अध्यक्ष जिल्हा ग्रामीण विकास यंत्रणा यांनी अतिरिक्त मुख्य कार्यकारी अधिकारी (निवडश्रेणी) वेतनश्रेणीने पदस्थापना देण्यात आलेल्या वरील अधिका-यांना स्थानिक पर्यायी व्यवस्था करून, तात्काळ कार्यमुक्त करावे आणि नवीन नियुक्तीच्या ठिकाणी तात्काळ हजर होण्याबाबत संबंधितांना सूचना द्याव्यात. तसेच संबंधित अधिका-यांनी पदभार स्वीकारल्यानंतर त्यांचा अहवाल शासनास सादर करावा.</p> <p>४. अतिरिक्त मुख्य कार्यकारी अधिकारी निवडश्रेणी वेतनश्रेणीने नियुक्ती दिलेल्या अधिका-यांनी त्यांच्या नवीन नियुक्तीच्या ठिकाणी तात्काळ रुजू व्हावे त्यांनी अनधिकृतित्या रजेवर जाऊ नये. यासंदर्भात त्यांचे लक्ष सामान्य प्रशासन विभाग परिपत्रक क्रमांक सीडीआर १०८२/२५६७/२८/१९, दिनांक ३०.८.१९८२ अन्वये दिलेल्या सूचनांकडे देण्यात येत आहे. तसेच दिलेली नियुक्ती रद्द करणेसाठी कुठल्याही स्वरूपाचे आवेदन करू नये. तसे केल्यास सदर अधिकारी शिस्तभंगाच्या कारवाईस पात्र ठरतील याची संबंधितांनी नोंद घ्यावी.</p> <p>3. Even though he was promoted, the Commissioner, NMMC sent communication dated 31.12.2015 to the Rural Development Department followed by another communication dated 4.1.2016 to the Urban Development Department stating that applicant be retained in the service of the Corporation and he may be allowed to work in the rank of Additional Commissioner in the Selection Grade.</p> <p>4. Today during hearing, Ld. Advocate for the applicant submits that OA may be disposed off with liberty to make representation to the Commissioner, NMMC to grant him necessary financial benefits as he was retained by the Corporation.</p> <p>5. OA is disposed off with above liberty. No order as to costs.</p> <p style="text-align: right;">Sd/- _____ (P.N. Dixit) Vice-Chairman (A) 10.1.2020</p> <p>(sgj)</p>

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O.A. No.800 of 2018 with M.A. No.590 of 2019

A.A. Kulkarni ..Intervener

And

P.H. Thakur ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for Intervener, Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Today during hearing Ld. PO produces a communication dated 8.1.2020 from respondent no.2. The same is taken on record and marked 'X' for identification. After examining the same, Ld. Advocate for the applicant mentions that OA may be disposed with liberty to the applicant to make fresh representation to the respondents.

3. OA is disposed off with the aforesaid liberty to the applicant to make fresh representation to the respondents.

4. In view of the above, MA filed by the Intervener does not survive and is disposed off as such.

Date : 10/1/2020
Coram : Hon'ble Shri P. N. Dixit <VIC-A>
 Hon'ble Shri A. P. Kulkarni <MI>
Appearance
 Shri G.A. Bandiwadekar Intervener
 Advocate for the Applicant
 Shri P.H. Thakur Applicant
 C.P.O. / P.O for the Respondents.

*Shri M.D. Lonkar the applicant
 Heard
 orders passed in Tribunal
 column.
 OA is disposed
 off with liberty to the
 applicant.
 In view of the above MA
 filed by Intervener does
 not survive and is
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Sd/-

(P.N. Dixit)
Vice-Chairman (A)
10.1.2020

(sgj)