

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

Date : 10.04.2019.

O.A.No.1050 of 2018

S. B. Ladi

....Applicant

Versus

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

1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. In the present O.A., the Applicant has sought relief for release of retiral benefits.

3. The Applicant stands retired w.e.f. 31.05.2017 but his retiral benefits are not paid and, therefore, he has filed present O.A. for direction to the Respondents to fix the pay as per 6<sup>th</sup> Pay Commission and also to pay all consequential retiral benefits.

4. On hearing of the learned Advocate for the Applicant and the learned P.O. for the Respondents, it transpired that the Applicant along with others were prosecuted in Criminal Case No.4550/2005 instituted on police report by Chatushrungi Police in respect of the offences u/s 466, 468, 471, 420 and 201 r/w 34 of IPC, u/s 120 B of IPC and u/s 14 (c) of Foreigners Act, 1946. The Applicant and other co-accused were discharged by the court. However, being aggrieved by the discharged order, the State has preferred Criminal Revision Application Nos.130, 131, 132 and 133 of 2009. The Additional Session Judge, Pune by order dated 22.07.2013 allowed the revision applications and directed the Magistrate to decide the Criminal Case on merit. However, being aggrieved by it, one of the accused namely Satish Bhosale had filed Criminal W.P. No.4289/2013 before the Hon'ble High Court wherein interim stay was granted to the extent of revision application No.130/2009.

Office Notes, Office Memoranda of Coram, Appearance Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">-2-</p> <p>5. As such, in view of the interim stay to the extent of Criminal Case of Shri Satish Bhosale only, the Criminal Case against the present Applicant is still sub-judice before the Magistrate and there is no stay as regard to Applicant's prosecution. Suffice to say that the stay operates in respect of order passed by the Sessions Court in Criminal Revision Application No.130/2009 only. Therefore, at this stage, it will have to be said that the Criminal Prosecution against the Applicant is pending and, therefore, is not entitled to gratuity or final pension in view of the Rule 130(1) (c) of Maharashtra Civil Services (Pension) Rules, 1982. However, the Applicant is certainly entitled to provisional pension as per his entitlement i.e. on the basis of last drawn pay.</p> <p>6. Learned Advocate for the Applicant has pointed out that the pay of the Applicant is not re-fixed as per 6<sup>th</sup> Pay Commission and, therefore, he is deprived of getting correct provisional pension.</p> <p>7. Shri S. A. Deshmukh, Under Secretary, Home Department, Mumbai is present before the Court and submitted that the provisional pension being paid on the basis of pay determined as per 5<sup>th</sup> Pay Commission which now needs to be corrected by the department.</p> <p>8. In view of above, the O.A. is disposed of with following directions.</p> <p>(A) The Original Application is allowed partly.</p> <p>(B) The Respondent is directed to fix the pay of the Applicant as per his entitlement and also to grant provisional pension on the basis of his last drawn pay and to release the regular pension regularly.</p> <p>(C) Arrears of provisional pension be paid within six weeks from today.</p> <p>(D) The relief of grant of gratuity and regular pension cannot be granted in view of the pendency of Criminal Case in terms of Rule 130(1) (c) of M.C.S. (Pension) Rules, 1982.</p> <p>(E) No order as to costs.</p> <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
<p><b>DATE :</b> <u>10/4/19.</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>A.V. 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./S.O. to <u>27/8/19.</u> <u>for final hearing.</u></p> <p style="text-align: right;"><u>2</u></p>	<p>Date : 10.04.2019.</p> <p style="text-align: center;">O.A.No.579 of 2018</p> <p>Dr. M.A. Waghmare ..... Applicant. Versus The State of Maharashtra &amp; (Mrs. .... Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. If reply is not filed within four week's O.A. to come up for final hearing.</p> <p>3. S.O. to 27.08.2019.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p style="text-align: right;">-m</p> <p>prk</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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**O.A.1102/18**

**Shri D.N. Tonde** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Mrs. A.B. Kololgi holding for Mrs. K.S. Gaikwad, learned P.O. for Respondents.
2. The learned Advocate for Respondent No.3 has filed Affidavit-in-reply on behalf of Respondent No.3. It is taken on record.
3. Adjourned for hearing at the stage of admission on 22.04.2019.

Sd/-  
(A.P. Kurhekar)  
Member-J  
10.04.2019

(skw)

**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 : 10.04.2019.</p> <p>M. A. No.128 of 2019 in O.A.No.227 of 2019</p> <p>V. A. Phadke &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(I)</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 : 10.04.2019.</p> <p>O.A.No.227 of 2019</p> <p>V. A. Phadke &amp; Ors. ....Applicants Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 26.04.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 26.04.2019.</li> </ol> <p style="text-align: right;">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
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Date : 10.04.2019.

O. A. No. 35 of 2019

Y. L. Dharavane .....Applicant

Versus

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

1. Heard Shri U. V. Bhosale, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.

3. On the request of learned Advocate for the Applicant, two weeks time is granted for filing Rejoinder.

4. S.O. to 24.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

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

Tribunal's orders

Date : 10.04.2019.

O. A. No.263 of 2019

O. B. Vithoba Kodag .....Applicant

Versus

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

1. Heard Shri S. K. Hande holding for Shri S. A. Kashid, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 06.06.2019.
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 06.06.2019.

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

Date : 10.04.2019  
Tribunal's orders

O.A.No.44 of 2019

D. K. Ambhore .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Presenting Officer for the Respondents.
2. In the present matter, the challenge is to the punishment imposed upon the Applicant by order dated 01.03.2018 whereby the penalty of deduction of 25% pension for five years has been imposed.
3. In so far as this aspect is concerned, pleadings are complete. Hence, O.A. is admitted.
4. As regard release of other retiral benefits as per order passed by this Tribunal on 27.03.2019, time was granted to the Respondents to release the retiral benefits of the Applicant as per his entitlement.
5. Today, the learned P.O. on instructions submitted that the proposal was sent to A.G. Office but certain queries were raised and the Applicant is now required to comply the queries of nomination form etc.
6. Learned Advocate for the Applicant is directed to ask his client to comply the queries raised by the department so as to get the retiral benefits as per his entitlement.
7. S.O. to 06.06.2019.

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><b>Date : 10.04.2019.</b></p> <p><b>D.A.No.89 of 2019</b></p> <p><b>S. B. Morye</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri K. R. Jagdaie, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent No.3. It is taken on record.</p> <p>3. During the course of hearing it transpired that the appeal preferred by the Applicant on 03.10.2013 against the order of warning as well as the order treating the period of suspension from 04.06.2007 to 07.08.2009 as a suspension period is still pending with the Respondent No.1. The appeal was filed on 03.10.2013 but no decision is taken till date.</p> <p>4. In view of above, the O.A. can be disposed of with suitable directions. Hence the following order.</p> <p style="text-align: center;"><b>ORDER</b></p> <p>(a) The O.A. is disposed of with direction to the Respondent No.1 to decide the appeal dated 03.10.2013 filed by the Applicant against the order dated 23.09.2013 within two months from today.</p> <p>(b) The decision, as the case may be, be communicated to the Applicant within two weeks thereafter.</p> <p>(c) If the Applicant felt aggrieved by the decision, he may take recourse of law as permissible to him.</p> <p>(d) No order as to costs.</p> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member(I)</b></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

Date : 10.04.2019.

O.A.No. 241 of 2018

V. V. Punathii .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.
2. The Tribunal has passed specific and self speaking orders dated 13.03.2019 as well as 27.03.2019 whereby the directions were given to the learned P.O. to take instructions from the Respondents as to how the retiral benefits can be withheld on the ground of registration of offence against the Applicant after the date of retirement.
3. Despite the orders dated 13.03.2019 and 27.03.2019, the Respondents have not been able to point out how the retiral benefits can be withheld. It is only in the case of conviction by competent court, the pension can be withheld invoking the Rule 26 of Maharashtra Civil Services (Pension) Rules, 1982.
4. In view of above, the learned P.O. for the Respondents is directed to take proper instructions from the Respondents and to file reply on merit so that the O.A. can be disposed of expeditiously.
5. One week's time is granted for filing reply.
6. S.O. to 18.04.2019.

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
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Date : 10.04.2019.

O.A.No. 304 of 2018

G. V. Pawar .....Applicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned P.O. for the Respondents had filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.

3. One week's time is granted to learned Advocate for the Applicant for filing Rejoinder.

4. S.O. to 18.04.2019.

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
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Date : 10.04.2019.

O.A.No.167 of 2018

A. B. Nikam .....Applicant

Versus

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

1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, the learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 03.06.2019.

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 : 10.04.2019.
	<p style="text-align: center;"><b>O.A.No.303 of 2019</b></p> <p><b>M. N. Thosare</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. In view of the order passed by this Tribunal on 03.04.2019, the Respondent No.1 was supposed to issue the order of posting by today.</li> <li>3. However, today again the learned P.O. for the Respondents submitted that the file is under process and final drders of postings are not yet issued.</li> <li>4. As observed by this Tribunal, the Government has already taken the decision to revoke the suspension of the Applicant and to reinstate him in service. However, till date the posting orders are not issued though enough time is granted.</li> <li>5. In view of above, it is hereby ordered that the Respondent No.1 shall issue appropriate posting orders within a week without fail.</li> <li>6. Hamdast and steno copy is allowed.</li> <li>7. S.O. to 16.04.2019.</li> </ol> <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

Date : 10.04.2019. Tribunal's orders

O.A.No.28 of 2019

**K. S. Kharat** .....Applicant  
**Versus**  
**The State of Maharashtra & Ors.** ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the transfer order dated 16.12.2018 whereby he was allegedly transferred on default report after approval of P.E.B.
3. During the course of argument, learned Advocate for the Applicant pointed out that as per documents submitted by the Respondents, preliminary enquiry report was submitted in the office of Deputy Commissioner, Mumbai on 15.01.2019 as seen from the letter dated 21.01.2019 from Sr. P.I., L.T.R. Police Station, Mumbai addressed to the office of Administrative Officer, Police Commissioner, Mumbai.
4. Adverting to this aspect, learned Advocate sought to contend that alleged default report on enquiry report was not before P.E.B. and, therefore, the decision of P.E.B. is not legal.
5. The Respondents have filed extract of the meeting (page 43) wherein it is stated that because of mis-conduct and default report, the transfer of the Applicant was necessitated. However, minutes of the P.E.B. is not forthcoming even it is also not clear what was the material before the P.E.B. at the time of taking decision on 14.12.2018. Therefore, it is essential to know, what was the material placed before the P.E.B. on which the decision of transfer is taken.
6. In view of above, the learned P.O. for the Respondents is directed to file affidavit of one of the senior member of the P.E.B. who was present in the meeting dated 14.12.2018 to clarify and explain what was the material and documents placed before the P.E.B. at the time of taking decision.
7. Hamdast and steno copy is allowed.
8. S.O. to 18.04.2019 for filing reply.

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
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**Date : 10.04.2019.**

**M. A. No.188 of 2019 in M. A. No.82 of 2019 in  
O.A.No.154 of 2019**

**S. N. Pingale .....Applicant**

**Versus**

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

1. Heard Shri B. S. Shinde, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. M.A. No.188/2019 is filed for restoration of M.A.No.82/2019 which has been dismissed in default for non-compliance of condition order.
3. Learned Advocate for the Applicant submitted that the notice was collected for the service but Affidavit of Service could not be filed and, therefore, in terms of condition order dated 25.02.2019, M.A. was dismissed in default.
4. For the reasons stated in M.A. No.188/2019, M.A. No.82/2019 in O.A.154/2019 is restored to the file.
5. M.A. No.188/2019 is accordingly 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
	<p><b>Date : 10.04.2019.</b></p> <p><b>M. A. No.82 of 2019 in O.A.No.154 of 2019</b></p> <p><b>S. N. Pingale</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri B. S. Shinde, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. In view of order passed in M.A.No.188/2019 in M.A.82/2019 in O.A.154/2019, M.A.No.82/2019 in O.A.154/2019 is restored to the file.</li> <li>3. Issue notice before admission returnable on 06.06.2019.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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 M.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>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.</li> <li>8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>9. S.O. to 06.06.2019.</li> </ol> <p style="text-align: right;">Sd/-  (A.P. Kurhekar)  Member(J)</p>

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

Tribunal's orders

Date : 10.04.2019.

O. A. No.367 of 2019

A. S. Chavan

....Applicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 04.06.2019.
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 04.06.2019.

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
<p><b>DATE :</b> <u>10/4/19</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>J. N. Kamble</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> G.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>21/5/19</u> <u>Head:</u> <u>order passed in</u> <u>Tribunal Column:</u></p> <p style="text-align: right;"><u>Ⓟ</u></p>	<p><b>Date : 10.04.2019.</b></p> <p style="text-align: center;"><b>R.A.No.11 of 2018 in O.A. No.693 of 2016</b></p> <p><b>S.S. Pawale</b> .....Applicant. <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</li> <li>2. Issue notice for final disposal to Respondent No.5 returnable on 02.05.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>4. Applicants are authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. S.O. to 02.05.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p style="text-align: center;">prk</p>

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

Tribunal's orders

Date : 10.04.2019.

O.A.No.282 of 2019 with O.A.No.283 of 2019

I.B. Mane (O.A.282/2019)

V.B. Patil (O.A.283/2019)

....Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms. S.P. Manohkar, the learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Shri A.V. Bandiwadekar for the Applicant prays for leave to amend for adding State of Maharashtra, through the Secretary of the concerned Department as Respondent.

3. Leave as prayed is granted.

4. Issue notice to added Respondent returnable on 20.06.2019.

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

6. Applicants are authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondent is 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 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 20.06.2019.

DATE : 10/4/19.

CORAM :

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

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

Adj./S.O. to 20/6/19

Order passed by  
Tribunal Column 4.

0

Sd/-

(A.H. Joshi, J) VJ

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
<p><b>DATE :</b> 10/4/19.</p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>A.V. 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./S.O. to <u>10/6/19</u> Heard order passed in Tribunal 6/4/19.</p> <p style="text-align: right;"><u>2</u></p>	<p>Date : 10.04.2019.</p> <p>O.A.No 1020 of 2018</p> <p>Dr. M.M. Patil .....Applicant. Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</li> <li>2. It is seen that office did not scrutinize the O.A. and objection are not properly / correctly raised.</li> <li>3. Learned Advocate Shri A.V. Bandiwadkar for the Applicant states that -             <ol style="list-style-type: none"> <li>a) Office objections would be removed within one week.</li> <li>b) Rejoinder shall be filed within one week.</li> </ol> </li> <li>4. If objection are not removed within one week, O.A. shall stand dismissed without reference to the Tribunal.</li> <li>5. If not dismissed, list before Division Bench on 10.06.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p style="text-align: right;">prk</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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 10.04.2019

O.A.No.469 of 2012

Dr. A.R. Tarale & Ors. .... Applicants  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Learned Advocate Shri B.A. Bandiwadekar for the Applicants appears and states that he has instructions to file vakalatnama on behalf of the applicant and prays for adjournment.

3. Time as prayed for is granted.

4. Adjourned to 22.07.2019.

DATE : 10/4/2019

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

APPEARANCE :  
Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant  
Shri /Smt. S.P. Manchekar

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

Adj. To. 22/7/2019

*[Handwritten signature]*

Sd/-  
(P.N) Dixit  
Member(A)

prk

Sd/-  
(A.H. Joshi, J.)  
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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 10.04.2019

M.A.No.154 of 2019 in O.A.No.345 of 2016

V.P. Patil ..... Applicant

Versus

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

1. Heard Shri B.A. Bandiwadkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents prays for time.

3. Time as prayed for is granted.

4. S.O. to 26.04.2019.

Sd/-

(P.N. Dixit)  
Member(A)

prk

Sd/-

(A.H. Joshi, J.)  
Chairman

DATE: 10/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. B. A. Bandiwadkar

Advocate for the Applicant

Shri/Smt. S. P. Manchekar

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

Ad. To. 20/4/2019

B.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
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Date : 10.04.2019

R.A.No.25 of 2015 in O.A.No.469 of 2012

Dr. A.R. Tarale & Ors. .... Applicants  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. In view that order passed in O.A.No.469/2012 is set aside, O.A. is remanded by Hon'ble High Court. Hence, R.A. does not survive, and is disposed.

DATE: 10/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadkar

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

C.P.O. for the Respondent/s

As to R.A. does not survive and is disposed.

Sd/-

(P.N. Dixit)  
Member(A)

prk

Sd/-

(A.H. Joshi, J.)  
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
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Date : 10.04.2019

O.A.No.879 of 2015

Dr. G.P. Wadekar & Ors. .... Applicants  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri Rahul B. Khot, the learned Advocate holding for Shri Nagesh Y. Chavan, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Learned Advocate for the Applicant appears and states that he has instructions to file vakalatnama and undertakes to file the same during the course of the day.

3. Learned Advocate Shri Rahul B. Khot further prays for time.

4. Time as prayed for is granted.

5. Adjourned to 22.07.2019.

DATE: 10/4/2019

CORAM:

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

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

APPEAR:

Shri/Smt. Rahul B. Khot L.A.

holding for Shri Nagesh Y. Chavan  
Advocate for Applicant

Shri/Smt. S.P. Manchekar

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

Adj. To: 22/7/2019

*[Handwritten signature]*

Sd/-  
(P.N.J Dixit)  
Member(A)

prk

*[Handwritten signature]*  
Sd/-  
(A.H. Joshi, J. Oth)  
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

Date : 10.04.2019

O.A.No.682 of 2013

Dr. M.B. Deollikar & Ors. .... Applicants

Versus

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

1. Heard Ms. S.P. Manchekar, the learned C.P.O. for the Respondents. None appears for the Applicants.

2. Adjourned to 22.07.2019.

Sd/-  
(P.N. Dixit)  
Member(A)

prk

Sd/-  
A.H. Joshi, Jy  
Chairman

DATE: 10/04/2019

CORAM:

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

Hon'ble Shri [Signature] (Member) A

APPEARANCE:

Shri/Smt. [Signature] none appears for the apps.

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj. To: 22/07/2019

[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
<p>DATE: <u>10/4/2019</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>M.D. Lonkar</u> the Ld. Adv. with Shri <u>K.R. Jagdale</u> the Ld. Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> Ld. C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>11/4/2019</u></p> <p><i>prk</i></p>	<p>Date : 10.04.2019</p> <p>R.A.No.24 of 2018 in O.A.No.159 of 2017 with M.A.No.665 of 2018</p> <p>S.S. Mane ..... Applicant Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D. Lonkar, the learned Advocate with Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.</li> <li>2. Learned Advocate for the Applicant prays for leave to amend for substituting memo of R.A..</li> <li>3. Leave as prayed for is granted.</li> <li>4. Learned Advocate Shri M.D. Lonkar undertakes to bring the amendment tomorrow.</li> <li>5. S.O. to 11.04.2019.</li> </ol> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, J.) Chairman</p> <p><i>prk</i></p>