

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

FN

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 : 11.06.2019.</p> <p align="center">M. A. No.233 of 2019 in O.A.No.336 of 2018</p> <p>R. D. AkrupeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, basically the challenge is to the suspension order dated 19.03.2018. However, during the pendency of O.A., the suspension has been revoked and the Applicant has been reinstated in service.</p> <p>3. However, the Applicant is challenging the very legality and sustainability of the suspension order contending that it is malafide and totally unwarranted. The Applicant has filed M.A.No.233/2019 to bring on record the subsequent events which are taken place after filing of O.A. to demonstrate how the file pertaining to revocation of suspension and reinstatement in service has been dealt with by the Government. Thus, the sum and substance of the proposed amendment is that the impugned suspension order is malafide and colorable exercise of power. By way of proposed amendment, the Applicant seeks permission to amend the O.A. to bring on record the contentions in support of challenge of the suspension order.</p>

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

4. Whereas, the learned P.O. opposes the application on the ground that the suspension has been already revoked and the Applicant is reinstated in service.
5. Only because the suspension has been revoked that is not the end of the matter as legality of suspension order is under challenge.
6. In view of above, Misc. Application is allowed. Amendment be carried out within a week.
7. In so far as Para No.3 of M.A. is concerned that aspect will be considered during the course of hearing. It can't be treated as subject matter of amendment.
8. In terms of order passed by this Tribunal on 04.06.2019, the Respondent No.1 ^{was} directed to file Affidavit to explain the delay in taking decision to initiate the D.E.. The charge sheet was served upon the Applicant on 29.05.2018 to which the Applicant has submitted his reply on 21.09.2018. However, thereafter no step was taken by the Respondent No.1.
9. Today, Shri Hemant Mahajan, Under Secretary, Mantralaya, Mumbai is present and requested for two weeks time to file reply.
10. One week's time is granted as a last chance to file Affidavit-in-Reply.
11. Hamdast and steno copy is allowed.
12. S.O. to 18.06.2019.

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
	<p>Date : 11.06.2019.</p> <p style="text-align: center;">O. A. No.536 of 2019</p> <p>A. R. LembheApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Advocate for the Applicant and Shri S. D. Dole with Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the impugned order dated 30.05.2019 on the ground that it being mid-tenure transfer, there has to be compliance of Section 4(4)(2) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as Transfer Act, 2005.) which is missing in the matter.</p> <p>3. Learned Advocate for the Applicant, therefore, prayed for interim relief.</p> <p>4. Admittedly, the Applicant has not completed two full tenure as permissible under Section 3 of the Transfer Act, 2005 and, therefore, for such mid-tenure transfer there has to be compliance of Section 4(4)(2) and 4(5) of the Transfer Act, 2005.</p> <p>5. Perusal of impugned order dated 30.05.2019 does not disclose the compliance of Section 4(4)(2) and 4(5) of Transfer Act, 2005. The Applicant is not yet relieved from the post.</p> <p>6. In view of above, I am inclined to stay implementation of impugned transfer order dated 30.05.2019 and interim relief in terms of Paragraph No.10(a) is granted.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Issue notice before admission returnable on 17.06.2019.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>13. S.O. to 17.06.2019.</p> <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
	<p>Date : 11.06.2019.</p> <p>O.A.No.611 of 2018</p> <p>K. S. TakawaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the challenge is to the transfer order dated 29.06.2018.</p> <p>3. Learned Advocate for the Applicant submitted that she has instructions from her Applicant to withdraw the O.A.</p> <p>4. Allowed to withdraw the O.A.</p> <p>5. In view of above, Original Application is disposed of with no order as to costs.</p> <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

Tribunal's orders

Date : 11.06.2019.

O.A.No.263 of 2019

D. B. 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 Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In view of the order passed in M.A. 292/2019 and M.A.293/2019, O.A. No.263/2019 is restored to the file.
3. Issue notice before admission returnable on 09.07.2019.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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.
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.
8. 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.
9. S.O. to 09.07.2019.

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
	<p>Date : 11.06.2019.</p> <p style="text-align: center;">M. A. No.292 of 2019 in M. A. No.293 of 2019 in O.A.No.263 of 2019 with M.A. No.293 of 2019 in O.A. O.A.No.263 of 2019</p> <p>D. B. KodagApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. K. Hande holding for Shri S. A. Kashid, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. O.A.N.263/2019 was dismissed in default due to non collection of notices within seven days from the office in terms of condition order passed on 10.04.2019.</p> <p>3. In view of dismissal of O.A. 263/2019 for non compliance of the order, these two Misc. Applications have been filed. The 1st M.A. is for condonation of delay and 2nd M.A.is for restoration of O.A.</p> <p>4. Learned Advocate for the Applicant submitted that because of vacation he could not collect the notices from the office and is now ready to collect the same and to serve upon the Respondents.</p> <p>5. Therefore, for the reasons stated in the application, O.A.No.263/2019 deserves to be restored to file to decide the same on merit.</p> <p>6. In view of above, M.A. 292/2019 and M.A.293/2019 are allowed and disposed of with 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
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(Advocate)

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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 : 11.06.2019.</p> <p>M. A. No.51 of 2019 in O.A.112/19 with M.A.60/19 in O.A.125/19 with M.A.61/19 in O.a.126/19 with M.A.79/19 in O.a.151/19 with M.A.80/19 in O.A.152/19 with M.A.81/19 in O.A.153/19 with M.A.108/19 in O.A.199/19 with M.A.109/19 in O.A.200/19 with M.A.110/19 in O.A.201/19 with M.A.111/19 in O.A.202/19</p> <p>S. B. Chumbalkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale holding for Shri V. V. Joshi, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed Affidavit-in-Reply in all Misc. Applications Nos.51/19, 60/19, 61/19, 79/19 and M.A.108/19 which are filed for condonation of delay. They are taken on record.</p> <p>3. The matters are adjourned for hearing in Misc. Applications.</p> <p>4. S.O. to 02.07.2019.</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>Date : 11.06.2019.</p> <p>M. A. No.192 of 2019 in O.A. 371 of 2019 with M.A.193/19 in O.A.372/19 with M.A.194/19 in O.A.373/19 with M.A.195/19 in O.A.374/19 with M.A.196/19 in O.A.375/19 with M.A.197/19 in O.A.376/19</p> <p>V. T. Sawarkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale holding for Shri V. V. Joshi, learned Advocate for the Applicants and Shri A. J. Chougule, S. D. Dole, Kranti Gaikwad and Archana B. K., learned Presenting Officers for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed Affidavit-in-Reply in all Misc. Applications which are filed for condonation of delay. They are taken on record.</p> <p>3. The matters are adjourned for hearing in Misc. Applications.</p> <p>4. S.O. to 02.07.2019.</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>Date : 11.06.2019.</p> <p style="text-align: center;">O.A.No.23 of 2018</p> <p>D. S. Kadam ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the Applicant is seeking deemed date of promotion.</p> <p>3. However, learned Advocate for the Applicant fairly stated that the O.A. be disposed of in view of the decision taken by the Respondent No.2 i.e. Director General of Police to stop the practice of promotion on officiating basis. He has also tendered circular dated 23.03.2018 issued by the Respondent No.3. It is taken on record.</p> <p>4. In view of the fair submission made by the learned Advocate, no cause of action survives. Therefore, the O.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 11.06.2019.</p> <p align="center">M. A. No.272 of 2019 in O.A.No.383 of 2019</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p align="center">Versus</p> <p>S.S. Jadhav ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Applicants (Ori. Respondents) and Smt. Punam Mahajan, learned Advocate for the Respondent (Ori. Applicant)</p> <p>2. In O.A. No.383 of 2019, this M.A. No.272/2019 has been filed for extension of time to implement the order passed by this Tribunal on 26.04.2019.</p> <p>3. Learned P.O. for the Applicants (Ori. Respondents) submitted that the State had preferred W.P. against the order passed by this tribunal on 26.04.2019, wherein the Hon'ble High Court gave eight days time to give posting order. She, therefore, submitted that she does not want to proceed with the M.A. and it be disposed of.</p> <p>4. In view of above, M.A.No.272/2019 is disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="left">vsm</p>

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

Date : 11.06.2019.

O. A. No.529 of 2019

L. Z. Pawar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri U. V. Bhosale, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 09.07.2019.

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 09.07.2019.

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 : 11.06.2019.

O. A. No.525 of 2019

Dr. R. B. Nirmale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri N. P. Dalvi, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 09.07.2019.
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 09.07.2019.

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

Date : 11.06.2019.

M. A. No.287 of 2019 in O.A.No.560 of 2018

P. S. PawarApplicant
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. This M.A. has been filed to implement the order passed by this Tribunal on 05.10.2010 in O.A.No.560 of 2018.

3. Perusal of order dated 05.10.2010 shows that the O.A. was allowed with certain directions. According to the Applicant, the Respondents are not implementing the directions and, therefore, filed the present M.A.

4. Needless to mention that in case of non compliance of the order passed by the Tribunal, the remedy is to go for contempt proceeding and no purpose will be served by filing such application for implementation of the order before the Tribunal.

5. At this stage, learned Advocate on instructions from the Applicant who is present before the court seeks permission to withdraw the M.A. with liberty to pursue the remedy of contempt proceeding.

6. Allowed to withdraw the M.A. with liberty to pursue the contempt proceeding as permissible in law.

7. Misc. Application is, therefore, 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

Date : 11.06.2019.

O. A. No.469 of 2019

P. R. Acharekar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri U. V. Bhosale, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 09.07.2019.
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 09.07.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
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..... 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 : 11.06.2019.</p> <p>M. A. No.573 of 2018 in O.A.No.959 of 2018</p> <p>D. B. ChipkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V Bhosale holding for Shri A. D. Hire, learned Advocate for the Applicant and Shri A. J. Chougule, 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 No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing on 02.07.2019.</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 : 11.06.2019. Tribunal's orders

O. A. No.527 of 2019

S. H. BhagatApplicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 18.06.2019.
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 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 18.06.2019.
9. Issue of interim relief is kept open.

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>Date : 11.06.2019.</p> <p>M. A. No.291 of 2019 in O.A.No.443 of 2019</p> <p>V. S. BallalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. The present M.A. is filed for restoration of O.A.No.443 of2019 which has been dismissed in default due to non collection of notices from the office.</p> <p>3. For the reasons stated in the application, the O.A. is restored to the file.</p> <p>4. Misc. Application is accordingly disposed of with no order as to costs.</p> <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
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Tribunal's orders

Date : 11.06.2019.

O.A.No.443 of 2019

V. S. BallalApplicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.

2. In view of the order passed in M.A.No.291/2019, O.A.No.443/2019 is restored to the file.

3. Issue notice before admission returnable on 09.07.2019.

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

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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

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.

8. 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.

9. S.O. to 09.07.2019.

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
	<p>Date : 11.06.2019.</p> <p>O.A.No.162 of 2019</p> <p>N. T. GabhaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</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 02.07.2019.</p> <p style="text-align: right;">Sd/- v (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>Date : 11.06.2019.</p> <p>O.A.No. 460 of 2019</p> <p>R. C. RitheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. Pawar holding for Shri D. B. Khaire, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the Applicant has challenged the suspension order dated 17.12.2014 whereby he was kept under suspension in view of registration of crime under the provisions of Anti Corruption Act, 1988 and IPC. The Applicant has made representation to revoke the prolong suspension but in vain. Therefore, he has filed the present O.A. challenging the prolong suspension of order.</p> <p>3. When the specific query was made to the learned P.O. for not placing the matter before the Review Committee in terms of G.R. dated 14.10.2011, learned P.O. on instructions stated that the Review Committee has taken decision to revoke the suspension and the file is placed before the Hon'ble Minister for approval. He, therefore, sought seven days time.</p> <p>4. In view of above, the matter is adjourned to 17.06.2019 to facilitate the Respondents to pass appropriate order on the recommendation made by the Review Committee.</p> <p>5. S.O. to 17.06.2019.</p> <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

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 : <u>10/6/19</u></p> <p>CORAM : Honble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>Madhavi A. Talekar & Associates</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Navelekar</u> C.P.O./P.O. for the Respondent's <u>nos 1 to 3</u></p> <p>Adj./S.O. to <u>Head</u> <u>Shri A.A. Desai Adv for nos 004</u> <u>Shri K.R. Jagdale Adv for</u> <u>nos 25, 75, 82 and 97.</u></p> <p>order passed in Tribunal column. M.A. is allowed.</p>	<p>Date : 10.06.2019</p> <p>M.A.No.283 of 2019 in O.A.No.445 of 2019</p> <p>M.T. Metake & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Ms. Madhavi Ayyappa, learned Advocate holding for M/S. Talekar & Assoc., learned Advocate for the Applicants, Ms. S.P. Manchekar, learned C.P.O. for the Respondents No.1 to 3, Shri A.A. Desai, learned Advocate for the Respondent No.4 and Shri K.R. Jagdale, learned Advocate for Respondents No.25, 75, 82 and 97. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid. 5. M.A. is allowed. <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

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 : <u>10/6/19.</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Smt. Madhavi Ayyappa for M/S Talekar and Associates Advocate for Applicant</p> <p>Shri Smt. S.P. Manchekar C.P.O. for the Respondents 1 to 3</p> <p>Adj. S.O. to H. Joshi A.A. Desai Adv for the Respondents Shri K.R. Jagdale Adv for the Respondents 25, 75, 82 and 97. M.A. 295/19 is allowed.</p> <p style="text-align: right;">P</p>	<p>Date : 10.06.2019</p> <p>M.A.No.295 of 2019 in O.A.No.445 of 2019</p> <p>M.T. Metake & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Ms. Madhavi Ayyappa, learned Advocate holding for M/S. Talekar & Assoc., learned Advocate for the Applicants, Ms. S.P. Manchekar, learned C.P.O. for the Respondents No.1 to 3, Shri A.A. Desai, learned Advocate for the Respondent No.4 and Shri K.R. Jagdale, learned Advocate for Respondents No.25, 75, 82 and 97.</p> <p>2. M.A.No.295/2019 is allowed in terms of prayer 5(a), which reads as below :-</p> <p>"a. To allow to amend the Original Application as per the draft of amendment contained in the schedule;"</p> <p>(Quoted from page 208 of the paper book of M.A.)</p> <p style="text-align: center;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>prk</p>

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

Tribunal's orders

Date : 10.06.2019.

O.A.No.445 of 2019

M.T. Metake & Ors. Applicants
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Ms. Madhavi Ayyappa, learned Advocate holding for M/S. Talekar & Assoc., learned Advocate for the Applicants, Ms. S.P. Manchekar, learned C.P.O. for the Respondents No.1 to 3, Shri A.A. Desai, learned Advocate for the Respondent No.4 and Shri K.R. Jagdale, learned Advocate for Respondents No.25, 75, 82 and 97.

2. Issue notice before admission returnable on 08.08.2019.

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

4. Applicants are 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. Applicants are 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 08.08.2019.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 10/6/19.

CORAM :

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

APPEARANCE:

Ms. Madhavi Ayyappa for M/S
Talekar and Associates
Advocate for the Applicant

Shri/Smt. S.P. Manchekar
C.P.O./P.O. for the Respondents 1 to 3

Adj./S.O. to heard
Shri A.A. Desai Adv for the Respondent No. 4.
Shri K.R. Jagdale Adv for the
Respondents No. 25, 75, 82 and 97.

heard
order passed in Tribunal
column
S.O. 8/8/19.

2

**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 M.A. No.262 of 2019 in O.A. No.448 of 2019
<p>DATE: <u>11/6/2019</u></p> <p><u>COBAM:</u></p> <p>Hon. Mr. Justice <u>Shri A. H. Joshi (Chairman)</u></p> <p>Hon. Mr. Justice <u>P. N. Dixit (Member) A</u></p> <p><u>APPEARANCE:</u></p> <p>Shri <u>Ms Ankita Nishad</u> holding for Shri <u>A.A. Desai</u></p> <p>Shri <u>S.P. Manchekar</u></p> <p>C.P.O./P.O. for the Respondent/s</p> <p>Adj. To..... <u>M.A. disposed off accordingly.</u></p> <p style="text-align: right;"><u>File</u></p>	<p>H.P. Jaykar & Ors. ..Applicants</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Ankita Nishad, learned Advocate holding for Shri A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicants are from Dhule, Satara & Nagpur respectively. By this MA, the Applicants are seeking leave to sue jointly. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 11.6.2019</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. 725 of 2018</u>
<p><u>DATE:</u> 11/6/2019</p> <p><u>CORAM:</u> Hon'ble Justice J. S. Jadhav (Chairman) Hon'ble Smt. P. N. DIXIT (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. : Punam Mahajan Advocate for the Applicant Shri/Smt. : S. P. Manchekar C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... 9/7/2019</p> <p style="text-align: right;"><i>gfc</i></p>	<p>Dr. B.B. Birajdar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Mrs. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks four weeks time to file reply.</p> <p>3. S.O. to 9.7.2019.</p> <p style="text-align: right;">Sd/- P.N. Dixit Vice-Chairman (A) 11.6.2019</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 M.A. No.407 of 2018 in O.A. No.725 of 2018
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Dr. B.B. Birajdar & Ors. Vs. The State of Maharashtra & Ors.	..Applicants ..Respondents
--------------------------------------------------------------------	-----------------------------------

Heard Mrs. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. This MA is for condoning delay of seven months in filing the OA. For the reasons stated therein, delay is condoned and MA is allowed.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
11.6.2019

(sgl)

DATE: 11/6/2019

CORAM:

~~Hon'ble Justice A. H. Joshi (Chairman)~~
~~Hon'ble Justice P. A. Patil (Member)~~

APPEARANCE:

Shri/Smt. Punam Mahajan

Advocate for Applicants

Shri/Smt. S.P. Manchekar
C.P.O / P.O. for Respondents

Adj. To: MA is allowed

[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.448 of 2019
<p>DATE: 11/6/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.N. Dixit (Vice-Chairman)</p> <p>APPEARANCE: Shri/s: Ms. Ankita Nishad Ld. Adv. holding for Shri A.A. Desai Shri/s: S.P. Manchekar C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 21/6/2019</p>	<p>H.P. Jaykar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Ankita Nishad, learned Advocate holding for Shri A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants states that applicants were appointed in the year 2015 and have passed the departmental examination in the year 2017. She states that the necessary documents to support her claim have not been enclosed. Ld. Advocate for the applicants is directed to satisfy the Tribunal regarding the limitation before taking up this OA for consideration.</p> <p>3. Ld. Advocate for the applicants seek one week's time for doing the same and for enclosing certain additional documents.</p> <p>4. S.O. to 21.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 11.6.2019</p> <p>(sgj)</p>