

**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

Date : 13.03.2019.

O. A. No.241 of 2019

**V. V. Punathil** .....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. In the present O.A., the Applicant has challenged the impugned order dated 02.02.2019 whereby the provisional pension of the Applicant has been withheld on the ground of registration of F.I.R. on 28.01.2019 with Waduj Police Station for the offence of cheating.

3. Perusal of the O.A. reveals that the Applicant stands retired on 31.05.2017 but since then waiting to receive the retiral benefits. The impugned order dated 02.02.2019 reveals that after retirement of the Applicant the offences u/s 420, 465, 409 & 201 has been registered against him and, therefore, his provisional pension has been withheld invoking the Rule 26 and 27 of the Maharashtra Civil Services (Pension) Rules, 1982

4. Learned Advocate for the Applicant is seeking interim relief to the impugned order so that the Applicant should get provisional pension contending that the impugned order is *ex-facie* illegal.

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

Tribunal's orders

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5. Admittedly, on the date of retirement of the Applicant neither judicial proceeding nor any D.E. was initiated or pending against him. This being the position, the question of withdrawal or withholding the provisional pension does not survive. It is only a case of conviction by competent Court pension can be withheld invoking the Rule 26 of the M.C.S. (Pension) Rules, 1982. Therefore, the action of withholding the provisional pension, prima-facie is incorrect and not sustainable in law.

6. In view of aforesaid legal position, learned P.O. is directed to take instructions from the Respondents to see whether there is any legal impediment to release the regular retiral benefits of the Applicant and to apprise the Tribunal so that the matter can be disposed of at the earliest. The learned P.O. may file short Affidavit-In-Reply, if necessary by next date.

7. In view of above, interim order dated 02.02.2019 withholding the provisional pension is stayed. Consequently, the Respondent is required to release the provisional pension forthwith.

8. Hamdast and steno copy is allowed.

9. S.O. to 27.03.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 13.03.2019.</p> <p align="center">O.A.No.235 of 2019</p> <p>R. K. Jamdare .....Applicant Versus The State of Maharashtra &amp; Ors. ..Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the Applicant is seeking direction for repatriation from Palghar District to Thane District. The Applicant was deputed in Palghar District, in view of creation of new District as Palghar subject to the rider that he will be repatriated to Thane District. The Applicant has completed tenure of 1 ½ years in Palghar District. His wife suffers from Schizophrenia, therefore, he requested to Collector, Palghar to relieve him. The Collector, Thane also recommended to District Palghar for his repatriation, however, it was not materialized. Hence, the Applicant has approached this Tribunal.</p> <p>3. This Tribunal in similar matter i.e. O.A.No.09/2019 has passed the order for repatriation of the Applicant therein within reasonable time.</p> <p>4. Learned P.O. for the Respondents, therefore, directed to take instructions from the Collector, Palghar to ensure repatriation of the Applicant at the earliest. She may file short affidavit within two weeks, if desires.</p> <p>5. Hamdast and steno copy is allowed.</p>

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

Tribunal's orders

-2-

6. Issue notice before admission returnable on 27.03.2019.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. 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.
9. 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.
10. 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.
11. 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.
12. S.O. to 27.03.2019.

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 : 13.03.2019.

O.A.No.1007 of 2018

H. V. Sapale .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. In the present matter, the Applicant has challenged the suspension order dated 14.09.2018 whereby he was kept under suspension in contemplation of D.E..
3. Today, the learned P.O. for the Respondents has tendered the order passed by the Government dated 08.03.2019 which shows that the Government has taken decision to revoke the suspension and to reinstate the Applicant in terms of G.R. dated 14.10.2011. In pursuance of the decision taken by the Government, the Applicant has given posting as Range Forest Officer, Pimpalner Forest Division, Dhule.
4. Thus, the suspension issue is over in view of revocation of suspension by the Government.
5. However, the learned Advocate for the Applicant submitted that the Applicant was required to be posted at same place where he was working before the suspension or in the same division at nearby place.
6. Whether the Applicant is entitled to the posting on the same place or in the same division as the learned Advocate for the Applicant contends, is required to be adjudicated on merit.
7. Learned P.O. for the Respondents submitted that she wants to file Sur-Rejoinder to clarify how the Applicant is not entitled for posting on the same post, which he held before suspension.
8. Three days time is granted for filing Sur-Rejoinder.
9. S.O. to 15.03.2019.

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 : 13.03.2019.

O.A.No.757 of 2018

P. D. Nikalje ....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri P. D. Shelake, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.

2. In the present matters, the Applicant has challenged the suspension order purportedly issued in July, 2018 (without specific date) invoking the Rule 4(1)(a) of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.

3. Learned Advocate for the Applicant sought to contend that the impugned order does not appear to be issued in contemplation of D.E. but appears punishment in view of earlier show cause notice issued to his client invoking the Rule 5 of M.C.S. (D & A) Rules, 1979. He has also pointed out that even the Affidavit-in-Reply is conspicuously silent to show whether the suspension order is in contemplation of D.E. or it is by way of punishment.

4. In view of above, the learned Advocate for the Applicant submitted that impugned order is of punishment and it is ex-facie illegal.

5. I find *prima-facie* substance in his submission.

6. It is necessary for the Disciplinary Authority to clarify as to whether the impugned suspension order has been passed by way of punishment or it is suspension order in contemplation of D.E.. This aspect be made clear by filing short affidavit.

7. Hamdast and steno copy is allowed.

8. S.O. to 22.03.2019.

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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 13.03.2019.</p>
	<p>O.A.No.785 of 2018</p> <p>P. D. Nikalje .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri P. D. Shelake, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. S.O. to 22.03.2019.</p> <p style="text-align: right;">Sd/- wv (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: 13.03.2019.

O.A.No.471 of 2018

M. Y. Patharvat .....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. In the present O.A., the Applicant has challenged the impugned order dated 27.7.2016 whereby the punishment of censure has been imposed upon him as well as seek regularization of the suspension period from 14.03.2008 to 03.11.2008.
3. The Applicant has filed representation / Review Application before the Respondent No.1 on 14.09.2016 but it was not responded to and, therefore, the Applicant has filed present O.A.
4. Today, the matter is for hearing and during the course of hearing, it was pointed out that the representation dated 14.09.2016 has not been yet decided by the Respondent No.1.
5. In fact, the Applicant ought to have preferred appeal against the order of imposition of punishment of censure. However, instead of appeal, he filed Review before the same authority, which has not been decided.
6. In view of above, the present O.A. can be disposed of with direction to the Respondent No.1 to decide the Review Application dated 14.09.2016 filed by the Applicant within stipulated time.
7. Accordingly, the Original Application is disposed of with direction to the Respondent No.1 to decide the Review Application dated 14.09.2016 filed by the Applicant within six weeks from today and to pass appropriate order, and it be communicated to the Applicant within a week thereafter. The Respondent No.1 to give an opportunity of hearing to the Applicant while deciding the Review Application dated 14.09.2016 filed by the Applicant.
8. If the Applicant feels aggrieved by such decision, he can avail the legal remedy in accordance to law.
9. No order as to costs.

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 : 13.03.2019.</p> <p>O.A.No.850 of 2017</p> <p>Dr. L. Y. Lanje .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</li> <li>2. in the present O.A., the Applicant is seeking appointment to the post of Medical Officer. She was appointed on contract basis for 364 days by order dated 21.07.2016 and posted at Nagpur. She had completed the tenure at Nagpur and after completion of bond period, came to be relieved.</li> <li>3. As such, the relief sought is of appointment on the post of Medical Officer which pertains to Division Bench as per office circular.</li> <li>4. In view of above, registry is directed to examine the matter and list if before appropriate bench.</li> </ol> <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
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13.03.2019

M.A 72/2019 in O.A 6/2019

The State of Maharashtra & Ors ... Applicants  
(Ori Respondents)

Vs.

Shri S.B Salunke ... Respondents  
(Ori Applicant)

1. Heard Ms Swati Manchekar, learned C.P.O for the Applicants (Ori. Respondents) and Shri S.S Dere, learned advocate for the Respondent (Ori Applicant)

2. M.A is disposed of as withdrawn.

Sd/-

(P.N Dixit)  
Member (A)

Sd/-

(A.H Joshi, J.)  
Chairman

DATE: 13/3/2019

CORAM:

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

Hon'ble Shri M. S. ... (Member) A

APPEARANCE:

Shri/Smt. : Swati Manchekar L.C.P.O

Advocate for the Applicant Comp. RSP

Shri/Smt. : S.S. Dere L. Adv.

C.P.O./P.O for the Respondent/s Comp APPL

As to M.A is disposed of as withdrawn.

*MT*

**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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13.03.2019

M.A 122/2019 in O.A 168/2019

Shri Suhas C. Zanjurne & Others ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.

2. M.A allowed in terms of prayer 4(a).

DATE: 13/3/2019

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

APPEARANCE:  
Shri/Smt. C. T. Chandratre  
Advocate for the Applicant  
Shri/Smt. S. P. Manchekar  
C.P.O / P.O. for the Respondents

Ag. To M.A is allowed in terms of prayer 4(a).

PNT  
13/3

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

Sd/-  
(A.H Joshi, J1) - m  
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
<p><b>DATE:</b> 13/3/2019</p> <p><b>CORAM:</b> Hon'ble Justice, Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramchandraiah (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt.: <u>A.V. Bandiwadkar</u> Advocate for the Applicant Shri/Smt.: <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>OA is disposed as withdrawn with liberty as sought</u></p> <p style="text-align: right;"><i>prk</i></p>	<p><b>Date : 13.03.2019.</b></p> <p style="text-align: center;"><b>O.A.No.562 of 2018 (Subject : TBP)</b></p> <p><b>V.D. Kamane &amp; Ors. ....Applicants.</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. It is seen that cause of action and grounds of relief of all applicants is not concurrent. Hence leave to sue jointly is taken without disclosing all facts. Hence leave to sue is withdrawn.</p> <p>3. At this stage, learned Advocate Shri A.V. Bandiwadkar for Applicants prays for permission to withdrawn this O.A. with liberty to file separate joint or individual Original Applications where the cause of action and grounds be either concurrent or different.</p> <p>4. O.A. is disposed as withdrawn with liberty as sought.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman <i>Joshi</i></p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> 13/3/19.</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> S. Surfonwale P.O. (Ori-Res) R. Sonalkar (Ori-Applicant) 27/3/19 Head order passed by Tribunal Coluyn? Steno copy ok? Handast is allowed</p>	<p><b>13.03.2019</b></p> <p><b>R.A 4/2019 in O.A 705/2016 with M.A 116/2019 in R.A 4/2019 in O.A 705/2016.</b></p> <hr/> <p>The State of Maharashtra &amp; Ors ... Applicants (Ori Respondents) Vs. Smt Meena B. Sonawane ... Respondent (Ori Applicant)</p> <ol style="list-style-type: none"> <li>1. Heard Ms Savita Suryavanshi, learned P.O for the applicant (Ori Respondents) and Shri Sorankar, learned advocate for the Respondent (Ori Applicant).</li> <li>2. It is seen that the memo of Review is drafted absent mindedly and without due care as to grounds whatsoever available.</li> <li>3. At this stage, learned Presenting Officer prays for examining the matter once again and take decision as to proper pleadings of memo of Review as well as of M.A for condonation of delay.</li> <li>4. In view of request of learned Presenting Officer, hearing is adjourned to 27.3.2019.</li> <li>5. Steno copy and Hamdast is allowed.</li> </ol> <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p> <p>Akn</p>

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

Tribunal's orders

DATE : 13/3/19

CORAM :

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

APPEARANCE:

Shri/Sr. S.V. Bandiwadekar

Adv.

Shri/Sr. A.J. Chougule  
C.P.O./D.O. for the respondent/s

Adj./S.O. to Heard  
order passed in  
Tribunal Column  
S.O to 22/4/19

13.03.2019

O.A 685/2016

Smt Hemlata B. Gavhane ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned advocate for applicant prays for leave to amend for adding candidates likely to be affected.

3. Leave as prayed is granted. Amendment be carried out within one week.

4. Issue notice to added parties returnable on 22.4.2019.

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

6. 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.

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

10. S.O to 22.4.2019.

Sd/-

(A.H Joshi J.)  
Chairman

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

Tribunal's orders

13.03.2019

**O.A 703/2016**

Shri Chandrakant D. Pawar ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. Learned advocate for applicant prays for leave to amend for adding candidates likely to be affected.

3. Leave as prayed is granted. Amendment be carried out within one week.

4. Issue notice to added parties returnable on 22.4.2019.

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

6. 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.

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

10. S.O to 22.4.2019.

Sd/-

(A.H Joshi, J)  
Chairman

Akn

DATE: 13/3/19

CORAM:

Honble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri A.V Bandiwadekar

Advocate

Shri/Smt Archana B.K  
O.P.O./P.O. for the Respondent/s

Adj./S.O. to 22/4/19

Heard  
order passed in  
Tribunal column.

**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>19/3/2019</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P.N. Dixit</u> (Member) A</p> <p><b>APPEARANCE :</b> Shri/Smt : <u>Ms. Shrishty Punjabi</u> Ld. <u>Adv. holding for Shri Chetan Agrawal</u> Advocate for the Applicant. Shri/Smt : <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To..... <u>18/4/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.116 of 2019</u></p> <p>D.N. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Shrishty Punjabi, learned Advocate holding for Shri Chetan Agrawal, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks four weeks time for filing reply.</p> <p>3. S.O. to 18.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 13.3.2019</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
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O.A. No.115 of 2019

A.M. Sawarkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Shri A.M. Sawarkar, Applicant is present. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO seeks four weeks time for filing reply.
3. Interim relief granted earlier to continue.
4. S.O. to 18.4.2019.

Sd/-

(P.N. Dixit)  
Member (A)  
13.3.2019

(sgj)

DATE: 13/3/2019

CORAM:

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

Hon'ble Shri N. B. Patil (Member) A

APPEARANCE:

Shri/Smt. A.M. Sawarkar Applicant  
is present

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To..... Interim relief granted  
earlier to continue.  
S.O. to 18/4/2019.

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

Tribunal's orders

O.A. No.30 of 2019

A.R. Nangare ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant in the present OA had appeared for the post of Sub Inspector State Excise in response to the advertisement dated 5.8.2017. On 8.1.2018 the list of candidates recommended for appointment was published. Out of the same 5 candidates did not remain present in the category in which the applicant was desiring the post. The applicant had filed OA No.1119 of 2018 when he was given the liberty to make a representation for being considered. Thereafter on 26.12.2018 he made representation for the 5<sup>th</sup> post, as only four persons were requisitioned by the respondents. He has therefore prayed that as his representation is made within the validity period viz. one year from the date of publication, his name may be considered.

3. Ld. PO states that the factual position has been brought to the notice of respondent no.2 with a request to reconsider the representation and take suitable decision. She seeks two weeks for reporting progress regarding the same.

4. Ld. Advocate for the applicant further mentions that on 22.1.2019 the MPSC-respondent no.1 has published four names who are eligible for recommendation through waiting list. He prays on similar grounds the applicant may also be considered. The progress regarding the decision if it is in favour of the applicant may be communication prior to the next date.

5. S.O. to 28.3.2019. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

Sd/-

(P.N. Dixit)  
Member (A)  
13.3.2019

(sgj)

DATE: 13/3/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. S. D. Patil

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

C.P.O / P.O For the Respondent/s

Adj. To 28/3/2019

Steno copy and hamdast  
is granted.

MPD

**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. No.721 of 2018

S.S. Bhosale ..... Applicant  
Vs.  
The State of Maharashtra & Ors. .... Respondents

Heard Shri Anil Jaiswar, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the Applicant mentions that he needs two weeks time to file rejoinder.

3. S.O. to 29.3.2019.

Sd/-

(P.N. Dixit)  
Member (A)  
13.3.2019

DATE: 13/3/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. Anil Jaiswar Ld Adv. holding for Shri R.G. Panchal  
Advocate for the Applicant

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

(sgl)

Adj. To: 29/3/2019

*File*

**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. No.559 of 2018

A.R. Khatavkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Applicant and Advocate for the Applicant are absent. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant and Advocate for the applicant are absent even today. He remained absent on earlier occasions as well. Ld. PO mentions that copy of the OA has not been served to the office of Ld. CPO.

3. OA is dismissed for want of prosecution.

Sd/-

(P.N. Dixit)  
Member (A)  
13.3.2019

(sgl)

DATE: 13/3/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. Applicant and Advocate for the Applicant are absent

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. To..... OA is dismissed for want of prosecution.

*File*

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 13/3/2019</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice P. N. Dikshit (Member) A</p> <p><u>APPEARANCE:</u> Shri S. S. Dere Advocate for Applicant Shri S. P. Manchekar C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To: Issue notice returnable on 4/4/2019.</p> <p><i>M.P.</i></p>	<p><u>13.03.2019</u></p> <p><u>O.A 247/2019</u></p> <p>Ms K.P Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice returnable on 4.4.2019.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>7. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.</p> <p>8. We clarify that pendency will not preclude the Respondents from considering the applicant's candidature on the basis of averment contained in O.A and prayer made by him. If a decision is taken it favours the applicant, reply to that effect be filed.</p> <p>9. S.O to 4.4.2019.</p> <p>Sd/- (P.N Dikshit) Member (A)</p> <p>Sd/- (A.H Joshi, J.) Chairman</p> <p>Akn</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 : 13.03.2019.</p> <p>O.A.No.770 of 2018</p> <p>S.Y. Shaikh .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant, Shri Ravi Asabe, learned Advocate for the Respondent No.1 and Ms S. Suryawanshi, learned Presenting Officer for the Respondent Nos.2 and 3.</p> <p>2. Today, the learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. On the request of the learned Advocate for the Respondent No.1, the matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 27.03.2019.</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 : 13.03.2019.

O. A. No.246 of 2019

P. K. Bodake

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

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

2. Issue notice before admission returnable on 10.04.2019.

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 10.04.2019.

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
	<p>Date : 13.03.2019.</p> <p>D.A.No.920 of 2017</p> <p>Dr. S. S. Shaha .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. As the pleadings are complete, the matter is adjourned for hearing at the stage of admission. Liberty is granted to learned P.O. to file Sur-Rejoinder, if any.</p> <p>3. S.O. to 20.03.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



(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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13.03.2019

O.A 38/2019

Shri S.R Bagde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None for the applicant. Heard Smt K.S Gaiwad, learned P.O for the Respondents no 1 & 3 and Shri M.D Lonkar, learned advocate for Respondent no. 2.

2. At the request of learned P.O, adjourned to 14.3.2019.

DATE: 13/3/2019

CORAM:

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

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

APPEARANCE:

Shri Smt. none for the appl.

Advocate for the Applicant

Shri Smt. K.S. Gaiwad, Ld.

C.P.O / P.O. for the Respondent/s 1 & 3.

Adv. M.D. Lonkar for R.2.

Adj. To: At the request of learned P.O, adjourned to 14/3/2019.

14/3  
file

Sd/-

(P.N Dixit)  
Member (A)

Alm

Sd/-

(A.H Joshi, J.)  
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
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Date : 13.03.2019.

O.A.No.908 of 2015

G.N. Nage .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant, Smt. K.S. Gaiwad, the learned Presenting Officer for the Respondents and Shri M.D. Lonkar, the learned Advocate for the Respondent No.3.

2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents is directed furnish name of officer of Mantralaya, who has processed the draft affidavit for approval and also one who has finally approved the affidavit, which is affirmed by Shri Harichandra D. Chavan, Administrative Officer in the Office of Joint Director Technical Education, R.O. Nashik.

3. S.O. to 14.03.2019.

4. Steno copy and Hamdast is allowed to learned C.P.O..

5. Learned C.P.O. is directed to communicate this order to the Respondents.

Sd/-

(P.N. Dixit)  
Member(A)

Sd/-

(A.H. Joshi, Jyeshtha)  
Chairman

DATE: 13/3/2019

CORAM:

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

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

APPEARANCE

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : K.S. Gaiwad

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

Ag. To: 14/3/2019

Steno copy and Hamdast is allowed to Ld. C.P.O.

P.N. Dixit