

**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><u>13.07.2016</u></p> <p><u>O.A No 683/2016</u></p> <p>Smt A.S Bhosale ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Smt kranu S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is challenging her transfer from A.C.B, Osmanabad to Nagpur city on the ground that she has made such request. This order has been issued on 3.6.2016. Learned Advocate Shri Bandiwadekar stated that the Applicant has never made such request. Learned Advocate stated that the Applicant is responsible for looking after her younger brother who is facing serious problem of near blindness and the Doctor has advised to take treatment for 6 to 9 months at Osmanabad.</p> <p>3. Learned P.O on instructions from Smt Sanjay Patange, Police Inspector, stated that the Respondents may be given time to confirm whether such a request was made by the Applicant or not.</p> <p>4. However, there is no categorical assertion made on behalf of the Respondents that the Applicant had made such a request.</p>

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

**Tribunal's orders**

5. Considering these facts, ad interim relief is granted in terms of prayer clause 10(a) till next date. Respondents may bring the concerned file for the perusal of this Tribunal on the next date.

6. In the meanwhile, these proceedings will not come in the way of the Respondents, if they decide to withdraw the impugned order.

7. Issue notice before admission made returnable on 27.7.2016.

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

9. Applicant is 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.

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.

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.

12. S.O 27.7.2016. Learned P.O waives service of notice. Hamdast.

DATE: 18/7/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

Hon'ble Shri. B. M. J. K. (Member)

APPEARANCE:

Shri/Smt. A. V. Bandikwadkar

Advocate for the Applicant

Shri/Smt. K. S. Gaikwad

C.P.O.T.P.O. for the Respondents

sd/

(Rajiv Agarwal)  
Vice-Chairman

Akn

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14/7/2016 5:35 PM

Research Officer  
Maharashtra Administrative Tribunal  
Mumbai

Adj. To  
Hamdast.  
@ay

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

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	<p align="center"><b>13.07.2016</b> Tribunal's orders</p>
	<p align="center"><b><u>O.A No 684/2016</u></b></p> <p>Shri S.H. Mane ... Applicant Vs. 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 Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</li> <li>2. The concerned Mantralaya file where decision to transfer the applicant was placed for my perusal. It is seen that the reason for transferring the Applicant given in the file is that he has completed more than 13 years in Pune Division and as per policy of the Government a person who has completed more than six years in a Division is required to be transferred out of the Division. Another reason is that there are 25 posts of Child Development Project Officers vacant in Mumbai and Thane. The Applicant has also completed three years in the present post.</li> <li>3. All these facts indicate that the Applicant was liable to be transferred in the month of April-May 2016, having joined the post at Barshi, Pandharpur on 1.5.2013. Why he was kept in Pune Division for more than six years, against policy of the Government is not clear. Why the order was not passed in the month of May is also not clear.</li> <li>4. No doubt, the Applicant has completed his tenure, but the order is obviously passed in a month other than April-May, which requires special reasons for the transfer. On perusal of the file I do not find any special reasons to transfer the Applicant in the month other than April-May. Prima facie, the impugned order is issued in violation of Section 4(5) of the Transfer Act.</li> <li>5. In view of the above, the request of the Applicant to grant interim relief of staying the impugned transfer</li> </ol>

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

**Tribunal's orders**

order is granted. The impugned transfer order is stayed. The Applicant be allowed to work in the post from where he was earlier working before the transfer order was passed.

6. Issue notice before admission made returnable on 10.08.2016.

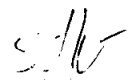
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

8. Applicant is 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.

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. S.O 10.8.2016. Learned C.P.O waives service of notice. Hamdast.

  
(Rajiv Agarwal)  
Vice-Chairman

Akn

DATE: 13/7/16.

**CORAM:**

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

~~Hon'ble Shri R. B. MALIK (Member)~~

**APPEARANCE:**

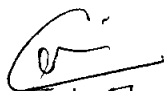
Shri/Smt. A. V. Bhandarkar

Advocate for the Applicant

Shri/Smt. N. K. Rajpurohit

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

10/8/16

  
14.7.16 5.35

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

Tribunal's orders  
O.A. No.297 of 2015

Shri U.N. Yadav & Ors. ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. It appears that two affidavits have been filed in this OA. One by Assistant Director, Vocational Education & Training, Pune and other is filed by an Inspector from the same office only, on behalf of all the respondents which includes Director of Vocational Education & Training and Government of Maharashtra.

3. Issues raised in this OA are regarding making applicable 2/3 tier pay scales to the applicant. It is not understood as to how an Inspector working in the office of Joint Director can file affidavit in such policy matters.

4. It is directed that respondent no.0 i.e. Government of Maharashtra in Higher and Technical Education Department should file an affidavit in this regard. The affidavit will be filed by some senior officer working in Mantralaya, not below the rank of Deputy Secretary. Ld. PO seeks four weeks time.

5. S.O. to 10.8.2016. Hamdast.

DATE: 13/7/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

~~Hon'ble Shri K. B. MULLIK (Member)~~

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. Ms. N.G. Gohad

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

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman  
13.7.2016

(sgj)

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

**13.07.2016**

**M.A 273/2016 in O.A No 1052/2015**

Shri B.A Dhande ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri J.N. Kamble, learned advocate for the applicant and Ms Archana B.K, learned Presenting Officer for the Respondents.

This Misc Application is filed seeking amendment to the Original Application. Learned Advocate Shri Kamble stated that the Applicant is seeking to bring on record that the appeal which he has filed against the order of punishment has since been rejected. He wishes to challenge the order passed by the Appellate Authority.

It appears that the learned P.O does not have serious objection. In any case, the amendment is sought to bring latest development on record.

In view of the above, M.A is allowed. Learned Advocate Shri Kamble stated that he will carry out the amendment within two weeks and serve copy on the Respondents.

O.A to be placed on Board on 27.7.2016.

DATE: 13/7/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

~~Hon'ble Shri. B. MALIK (Member)~~

APPEARANCE:

Shri J.N. Kamble

Advocate for the Applicant

~~Shri. Archana B.K.~~

~~P.O. for the Respondents~~

M.A. is Allowed.

~~Ad. So.~~  
OA Adj. to 27/7/16.

*[Signature]*

Akn

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

2

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

District \_\_\_\_\_

(Advocate) .....

versus

The State of Maharashtra and others

(Presenting Officer) .....

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

Tribunal's orders

**M.A.203/2016 in O.A780/2015**  
**(M.A. already disposed of)**

**Shri C.T. Kamble ... Applicant**

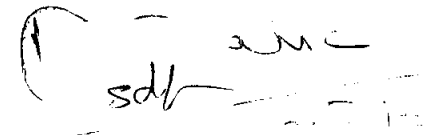
**Vs.**

**The State of Mah. & ors. ... Respondents**

Shri S.G. Kulkarni, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Heard. Time to comply is extended by one week as last and final chance. All the directions be complied with.

S.O. to 4<sup>th</sup> August, 2016.

  
(R.B. Malik)  
Member (J)  
13.07.2016

(skw)

1317/16

Coram - Hon'ble R.B. Malik  
(DJB) (M-J)

Shri S.G. Kulkarni Adv.  
for the Applicant  
Miss. N.G. Gohad for  
the Respondents  
heard.

S.O. to 4/8/16.



2

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

District \_\_\_\_\_

(Advocate .....)

versus

The State of Maharashtra and others

(Presenting Officer.....)

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

Tribunal's Orders

**O.A.263/2016**

**Shri P.M. Kutarekar ... Applicant**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

13/7/16

Coram - Hon'ble R.B. Malik  
(DIB) (M-J)

Shri C.T. Chandratre Adv  
for the Applicant.

Shri. A.B. Kololgi P.O for  
the Respondents.

Heard.  
Admit. Liberty  
to mention granted.

1

Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

The learned Advocate for the Applicant Shri Chandratre informs that the Applicant does not want to file Rejoinder. Admit. Liberty to mention granted.

(Signature)  
sd/

(R.B. Malik)  
Member (J)  
13.07.2016

(skw)



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

Tribunal's orders

M.A.277/2016 in O.A.178/2016

**Shri S.B. Bagul & Ors. ... Applicants**  
**Vs.**  
**The State of Mah. & ors. ... Respondents**

Heard Shri S.G. Kulkarni holding for Shri S.D. Dhongade, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

Issue notice returnable on 04.08.2016.

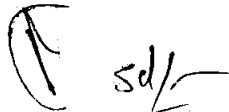
Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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.

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.

The service may be done by hand delivery / speed post / courier and acknowledgement to be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 4<sup>th</sup> August, 2016. The learned P.O. do waive service.

  
(R.B. Malik)  
Member (J)  
13.07.2016

1317116

Coram - Hon'ble R.B. Malik  
(M.J)

Shri S.G. Kulkarni holding  
for Shri S.D. Dhongade  
Adv for the Applicant  
Miss. N.G. Gohad P.O.  
for the Respondents

Heard  
order passed in  
tribunal column  
SO 4/8/16.



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

Tribunal's orders

13.07.2016

O.A No 682/2016

Shri S.G Gawade ... 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 Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 27.7.2016.

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

4. Applicant is 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.

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. S.O 27.7.2016. Learned P.O waives service of notice

DATE: 13/7/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

~~Hon'ble Shri R. B. MALIK (Member)~~

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. To S.O. to 27/7/16.

*[Signature]*

*[Signature]*  
(Rajiv Agarwal)  
Vice-Chairman

Akn

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

Tribunal's orders  
13.07.2016

M.A 259/2016 in O.A No 226/2016

Shri G.S. Musmade ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri D.B Khaire, learned advocate for the applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Issue notice before admission made returnable on 21.7.2016.

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

4. Applicant is 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.

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. S.O 27.7.2016. Learned P.O waives service of notice. ~~Handed~~.

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

Akn

DATE: 13/7/16

CORAM:

For Me Shri. RAJIV AGARWAL  
(Vice-Chairman)

~~Shri. D. B. KHAIRE~~ (Member)

APPEARANCE:

Shri. D. B. Khaire

Advocate for the applicant

Shri. K. B. Bhise

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

Adj. To S.O. to 27/7/16.

*[Signature]*

**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><u>DATE:</u> 13/7/16</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) <del>Hon'ble Shri. B. MALIK (Member)</del></p> <p><u>APPEARANCE:</u> Shri/Smt. S.G. Kulkarni Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.A.O. for the Respondents</p> <p><del>Adj. TA</del> O.A. is admitted. S.O. to 4/8/16.</p>	<p><u>13.07.2016</u></p> <p><u>O.A No 920/2015</u></p> <p>Shri S.S. Patil ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Shri Kulkarni, learned advocate for the applicant and Mrs K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>Affidavit in reply has been filed. Learned Advocate Shri Kulkarni states that he does not wish to file affidavit in rejoinder.</p> <p>O.A is admitted. Place for final hearing on 4.8.2016.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**FARAD CONTINUATION SHEET NO.**

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
<p>DATE: <u>13/7/16</u></p> <p>CORAM: Hon'ble Shri RAJIV AGARWAL (Vice - Chairman) <del>Shri K.R. Jagdale (Member)</del></p> <p>APPEARANCE: Shri <u>K.R. Jagdale</u> Advocate for the Applicant <del>Shri K.S. Gaikwad</del> Advocate for the Respondents C.O. No. 20/7/16. Replied by Apoli. Adj. To O.A. is admitted. S.O. to 20/7/16. FH <u>[Signature]</u></p>	<p><u>13.07.2016</u></p> <p><u>O.A No 246/2016</u></p> <p>Shri J.V. Kadam ... Applicant Vs. The State of Maharashtra &amp; Ors... respondents</p> <p>Heard Shri K.R Jagdale, learned advocate for the applicant and Mrs K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>Affidavit in reply has been filed. Learned Advocate Shri Jagdale files affidavit in rejoinder. Respondents are at liberty to file sur-rejoinder, if need be.</p> <p>O.A is admitted. Place for final hearing on 20.7.2016.</p> <p>Akn</p> <p><u>[Signature]</u> (Rajiv Agarwal) Vice-Chairman</p>

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>RH</p> <p>↳ less than 3 months.</p> <p>RH</p> <p>↳ issuing the impugned order</p>	<p><b><u>13.07.2016</u></b></p> <p><b><u>O.A No 676/2016</u></b></p> <p>Shri P.R Dhokane ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri K.B Bhise learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is challenging order dated 10.6.2016 transferring him from the post of Senior Police Inspector, Nasik Road Police Station to newly created post of Police Inspector, Central Control Unit. Learned Advocate Shri Bandiwadekar stated that the Applicant has not completed even one year in Nasik Road Police Station and also his posting as Sr. P.I at that Police Station by order dated 30.4.2016. He stated that in whatever way it is considered the Applicant has not completed his tenure as per Section 22N of the Maharashtra Police Act. There are no reasons for making <del>mid</del>-term transfer of the Applicant.</p> <p>3. Learned P.O on instructions from Shri S.D Nandurkar, Police Inspector, Nasik City and also as per para wise comments received from Respondent no. 1 states that before <del>transferring</del> the Applicant he was consulted. However, if he is not ready to work in the transferred post, his request to post him back to Nasik Road Police Station will be considered favourably.</p> <p>4. In view of the statement made by learned P.O, matter is adjourned to 20.7.2016.</p> <p>5. Issue notice before admission made returnable on 20.7.2016.</p>

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

**Tribunal's orders**

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

7. Applicant is 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.

8. 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.

9. 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.

10. S.O 20.7.2016. Learned C.P.O waives service of notice

DATE: 13/7/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice - Chairman)

~~Hon'ble Shri P. B. MALIK (Member)~~

APPEARANCE:

Shri/Smt. A.V. Bendikaradaker

Advocate for the Applicant

Shri/Smt. K.B. Bhise

C.P.O. for the Respondents

Adi. To S.O. to 20/7/16.

*[Signature]*

Akn

*[Signature]*  
(Rajiv Agarwal)  
Vice-Chairman

(Advocate .....

The State of Maharashtra and others

Respondents

(Presenting Officer.....

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

Tribunal's orders

**C.A.45/2016 in O.A.215/2014**

**Shri S.N. Molak & Ors. ... Applicants**

**Vs.**

**The State of Mah. & ors. ... Respondents**

Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Smt. A.B. Kololgi, the learned Presenting Officer for the Respondents.

The learned P.O. submits for my perusal a copy of the communication dated 30<sup>th</sup> January, 2016. I have perused the order rendered by the 2<sup>nd</sup> Bench. The entire order had to be read with particular reference to Para 5 thereof in which guidance was sought by the 2<sup>nd</sup> Bench from the judgment of the Hon'ble High Court. As a matter of fact, for all practical purpose, the stand reflected by the said letter was categorically rejected by the Tribunal and directions were given. Therefore, without reading the whole order, if the order was read in a truncated manner so as to suit the purpose of the recalcitrant Respondent that will be clearly at least *prima-facie* contemptuous. A very short date will therefore be given.

Issue notice returnable on 27.07.2016.

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

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.

13/7/16

Coram - Hon'ble Shri R.B. Malik  
(1B) (M-J)

Shri K.R. Jagdale Adv for.

the Applicant.

Smt A.B. Kololgi P.O.  
for the Respondents.

Heard  
order passed in  
Tribunal Colquh.

So to 27/7/16.

Handled.

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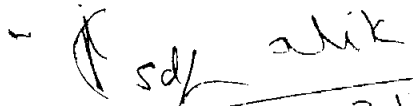
Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 27<sup>th</sup> July, 2016. The learned P.O. do waive service. Hamdast.

  
(R.B. Malik)  
Member (J)  
13.07.2016

(skw)

(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.St.No.685/2016**

**Smt. H.B. Gawhane ... Applicant**

**Vs.**

**The State of Mah. & ors. ... Respondents**

Heard Shri Y.P. Deshmukh, the learned Advocate for the Applicant and Shri A.J. Chougule; the learned Presenting Officer for the Respondents.

I have perused the record and proceedings and heard the rival submissions. The interim relief is sought in the context of a few other aspects of the matter, but I can concentrate only on one aspect of the matter viz. keeping one post vacant for open female, although it appears that the Applicant is suffering from Locomotor Disability as well. In that connection, Mr. Deshmukh submits that the relief should be considered for two posts, in as much as two candidates are likely to be affected. Considering the case of the Applicant such as it is, in my opinion, the interest of both the sides shall be adequately safe-guarded by giving directions to the Respondents that in case, the appointments are made, then to the appointed candidate, it must be made clear that it will be strictly subject to the outcome of this OA, not necessarily at the time of the final disposal but even at the interim stage and if the Applicant was found entitled to the relief, then the one who would have to make way for her will have to do so. With this interim measure issue notice made returnable on 27<sup>th</sup> July, 2016.

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

Applicant is authorized and directed to serve on Respondents intimation / notice of date

13/7/16

Coram - Hon'ble Shri R.B. Malik  
(M.J)

Shri Y.P. Deshmukh Adv.  
for the Applicant.

Shri A.J. Chougule PO  
for the Respondents.

Heard  
order passed in  
Tribunal Column.  
SOH 27/7/16.

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

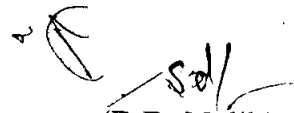
Tribunal's orders

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.

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 27<sup>th</sup> July, 2016. The learned P.O. do waive service.

  
(R.B. Malik)  
Member (J)  
13.07.2016

(skw)