

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.967 OF 2017**

Dr. Mukund M. Sadigale

..Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Smt. Punam Mahajan – Advocate for the Applicant

Miss Savita Suryawanshi – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 13th October, 2017

ORDER

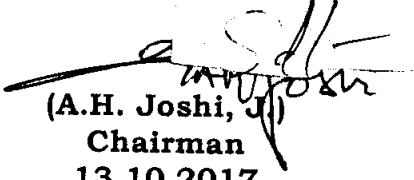
1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.
2. Issue notice returnable on 5.12.2017.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on 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 three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Ld. Advocate urges for hearing on interim relief and for grant of exparte ad-interim relief.
9. Ld. PO prays for time for filing affidavit. Ld. PO further states that the record is brought however it is incomplete.
10. In the background that impugned order states that all transfers are made on request, the applicant says that his request was for retention and not a transfer. Applicant has shown the averment to that effect in para 6.9.1.
11. Reply, if any, ought to be filed by answering each and every para, point and sentence unless respondents desire to withdraw the order.

12. Applicant has made out a case for grant of exparte ad-interim relief in terms of para 10(a) which is granted with notice of show cause against making it absolute with liberty to apply before due date.

13. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.


(A.H. Joshi, J)
Chairman
13.10.2017

Dictation taken by: S.G. Jawalkar.

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**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

13.10.2017

C.A 50/2017 in O.A No 836/2014

Shri P.B Pawar ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri N.K Rajpurohit, learned Chief Presenting Officer for the Respondents.

2. Learned P.O has tendered two affidavits of Secretary, Rural Development Department, Shri Aseem Gupta. Both these affidavits are on record.

3. Learned Advocate for applicant states that:-

(a) The affidavit of Secretary stating that the compliance is done, is wrong and even it could be denoted as false.

(b) The contemnor has made deliberate attempt to misrepresent applicant's case before DPC and even before this Tribunal.

4. In view of submission of Advocate for the applicant, Contemnor ought to represent by filing affidavit on following points:-

(a) What action/actions were to be taken for compliance of the order passed in O.A 836/2014.

(b) Show how each step is complied.

(c) Affidavit be filed on or before 20.11.2017.

5. S.O to 20.11.2017.

6. Steno copy and Hamdast allowed. Learned P.O is directed to communicate this order to the Respondents.

DATE: 13/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

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

Adj. To: S.O. to 20/11/17.

Steno copy and Hamdast allowed.

[Signature]

Sd/-

(A.H Joshi/J.)
Chairman

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

Date : 13.10.2017. Tribunal's orders

R.A.No.1 of 2017 in O.A.No.428 of 2016

The State of Maharashtra & Ors.

....Applicants (Org. Respondents)

Versus

R.Y. Kamble

.....Respondents. (Org. Applicants)

1. Heard Smt. K.S. Gaikwad, the learned Presenting Officer for the Applicants (Org. Respondents) and Ms. S.P. Manchekar, the learned Advocate for the Respondents (Org. Applicants).

2. Issue notice before admission returnable on 05.12.2017.

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 R.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 three days before returnable date, Review Application shall stand dismissed without reference to Tribunal and papers be consigned to record

8. S.O. to 05.12.2017.



Sd/-

(A.H. Joshi J.)
Chairman

DATE: 18/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Adv/Smt. K.S. Gaikwad

P.O.

Advocate for the Applicant

Adv/Smt. Ms. S.P. Manchekar

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

Adv.

Adj. To S.O. to 5/12/17

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

Tribunal's orders

Date : 13.10.2017.

O.A.No.957 of 2017

Ayyubkhan Mubarak Khan

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 04.12.2017.
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 three days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record
8. S.O. to 04.12.2017.

DATE : 13/10/17

CORAM :

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE :

Shri/Smt. Punam Mahajan

Advocate for the Applicant

Shri/Smt. K.B. Bhise

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

Adj. To S.O. to 04/12/17.

Sd/-

(A.H. Joshi J.)
Chairman

**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>DATE: <u>13/10/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri <u>K.R. Jagdale</u> Advocate for the Applicant Shri <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s <u>with Ms. S.P. Manchekar,</u> <u>Sp. Counsel</u> Ad to <u>C.A. disposed of.</u></p>	<p><u>13.10.2017</u></p> <p><u>C.A 49/2017 in O.A No 1138/2010</u></p> <p>Shri Vijaykumar M Nawale ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri K.B Bhise, learned Presenting Officer with Ms Swati Manchemar, learned Special Counsel for the Respondents.</p> <p>2. Learned Presenting Officer has tendered affidavit on previous date, which was affirmed by Shri Sudhir Srivastav, Addl. Chief Secretary, Home Department, Mantralaya, Mumbai and also tendered apology. He has also placed on record measures taken for streamlining the procedure for attending cases before the Tribunal.</p> <p>3. Learned P.O has tendered one circular issued today, i.e. on 13.10.2017 by adding further instructions.</p> <p>4. It is also shown that the decision in the matter of applicant's claim which was required to be taken furtherance to the order passed in the Original Application is taken. Eventually the decision is adverse to the applicant.</p> <p>5. Applicant shall be at liberty to take recourse to challenge the order in accordance with law.</p> <p>6. With above observation, C.A stands disposed of. Explanation and apology are accepted.</p> <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 80

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> 13/10/17</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. M. D. Lonkar Advocate for the Applicant, Intervener Ms. S. P. Manchekar (for Appli-1 to 4) Shri/Smt. K. S. Gaikwad C.P.O./P.O. for the Respondent/s</p> <p>M.A. is Adjourned Sine-die.</p>	<p>Date : 13.10.2017.</p> <p>M.A.No.64 of 2017 in O.A.No.271 of 2016</p> <p>Vikas R. Jagtap & Ors.Interveners.</p> <p>And</p> <p>Deepak P. Khade & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M. D. Lonkar, the learned Advocate for the Interveners, Ms S.P. Manchekar, the learned Advocate for the Applicant Nos.1 to 4 and Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. M.A. is opposed urging that it needs to be heard by the Division Bench.</p> <p>3. Adjourned sine-die.</p> <p style="text-align: right;">Sd/- (A.H. Joshi J) Chairman</p> <p>vsm</p>

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

Tribunal's orders

Date : 13.10.2017.

O.A.No.945 of 2017

Vasudev B. JawareApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.V. Thorat, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 01.11.2017.

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 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 01.11.2017.

DATE: 13/10/17

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A

APPEARANCE:

Shri ~~Smt~~ M.V. Thorat

Advocate for the Applicant

Shri ~~Smt~~ N.K. Rajpurohit

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

Adj. To: S.O. to 1/11/17.

Sd/-

(A.H. Joshi J.)
Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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<p>DATE: <u>13/10/17</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>N.S. Vaidya</u> Advocate for the Applicant Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>M.A. is allowed.</u> <u>prk</u></p>	<p>Date : 13.10.2017.</p> <p>M.A.No.452 of 2017 in O.A.No.997 of 2016</p> <p>C.R. NetkeApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.S. Vaidya, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. for leave to amend as prayed is granted.</p> <p>3. Hence, M.A. is allowed.</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p>