

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1097 OF 2018
(SUBJECT : SUBSISTENCE ALLOWANCE)

Mr. Johny S. Sapkale)
R/at. Mangeshi Sahara, Chikanghar, Kalyan,)
Dist. Thane)

....Applicant

Versus

1. The State of Maharashtra,)
Through the Secretary,)
Revenue and Forest Department,)
Mantralaya, Mumbai 32)
2. The District Collector,)
Thane, First Floor, Administrative Branch,)
District Collector Building, Court Naka,)
Thane (W) 400 601)

...Respondents.

Shri K.R. Jagdale, learned Advocate for the Applicant
Shri S.D. Dole, learned Presenting Officer for the Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER(J)

DATE : 14.01.2019.

J U D G M E N T

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A. limited relief claimed by the Applicant is for directions to Respondent No.2 to pay subsistence allowance in pursuance to Rule 68 of the Maharashtra Civil Services (Joining Time, Foreign Service, and Payments during Suspension, Dismissal and Removal) Rules, 1981 with accrued interest.
3. Learned Advocate Shri K.R. Jagdale for the Applicant submitted that Applicant is under suspension since 2015 but till date subsistence allowance is not paid. This is the only grievance in the O.A.

4. However, today learned P.O. has tendered letter dated 12.01.2019 issued by Tahasildar, Shahapur stating with subsistence allowance at the rate of 50% for the period from 22.06.2015 to 31.12.2018 is being paid and the bill is prepared. Thus it seems that as per Treasury bill dated 04.10.2019 sum of Rs.5,24,436/- is being paid to the applicant.
5. However it is pointed out by learned Advocate for the Applicant that as per Rule 68 of Maharashtra Civil Services (Joining Time, Foreign Service, and Payments during Suspension, Dismissal and Removal) Rules, 1981 after initial three months of the applicant he is entitled for 75% subsistence allowance but is paid 50% only.
6. As stated above, present O.A. is filed only for direction to pay subsistence allowance. Now during pendency of this applicant subsistence allowance at the rate of 50% is being released. The grievance of applicant that he is entitled to 75% subsistence allowance after first three months, needs to be redressed by the Department and the present O.A. can be disposed of with suitable direction. Disciplinary Authority is under obligation to pay subsistence allowance to the delinquent monthly.
7. O.A. is disposed of with direction to Respondent No.2 to pay subsistence allowance to the Applicant as per Rule 68 of Maharashtra Civil Services (Joining Time, Foreign Service, and Payments during Suspension, Dismissal and Removal) Rules, 1981 within 2 months from today and same shall be paid to the applicant regularly.
8. Applicant has also claimed interest on delayed interest. He is at liberty to make his representation to the Respondent No.2 which will be dealt with in accordance to law.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.739 of 2017</p> <p>S.N. PophaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. During the course of hearing learned Advocate Shri A.V. Bandiwadekar submitted that in view of the judgment passed by Hon'ble Chairman in O.A.No.41 of 2016 dated 10.08.2018, he wants to amend application as well as prayer clause and therefore sought time. He has also produced copy of judgment in O.A.no.41/2016.</p> <p>3. Perusal of order passed in O.A.No.41/2016 reveals that grounds of discrimination and equal treatment in the matter and payment of penal rent was the issue. The applicant has pointed out in several cases where police officials over stayed in Government quarters years together but no penal charges were recovered from them. On this ground O.A.No.41/2016 was partly allowed with decision that no recovery shall be done against the applicant. Accordingly, impugned order was set aside.</p> <p>4. As such in view of order passed in O.A.No.41/2016 Applicant wants to amend O.A. as similar question of recovery of penal charges are raised in this O.A.</p> <p>5. Therefore, matter is adjourned with liberty to the applicant to file M.A. for amendment of O.A.</p> <p>6. S.O. to 21.01.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.952 of 2018 (Subject : Pay and Allowances)</p> <p>D.B. NakadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., applicant has sought direction of the Respondents to pay his arrears and pay allowance for the period from 15.12.2012 to 30.06.2018.</p> <p>3. Learned P.O. Shri A.J. Chougule for the Respondents submitted that because of non-availability of funds the arrears cannot be paid. Respondents have produced letter dated 23.10.2018 (page 49 of the paper book) to show that Respondent No.1 has requested the Director of Higher Education, Maharashtra State to sanction fund of Rs.8,38,239/- so as to pay arrears to Shri D.B. Nakade, Applicant. Thus it appears that non-availability of funds was the reasons for non payment of arrears. There is no dispute about entitlement of payment amount of Rs.8,38,239/-. In view of the above this O.A. can be disposed of by suitable directions.</p> <p>4. As admittedly applicant is entitled to Rs.8,38,239/-, it is for the Respondents to sanction funds from the Government and that cannot be the reasons for non payment of arrears for such long period. Respondents should take necessary steps in this behalf and to pay arrears of Rs.8,38,239/- to the applicant on or before 31.03.2019.</p> <p>5. With these directions O.A. is disposed of with no order as to costs. Hamdast is allowed.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p>O.A.No.499 of 2018 (Subject : Recovery)</p> <p>D.D. TatalaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.B. Gaikwad, learned Advocate holding for Shri M.I. Pathan, learned Advocate for the Applicant and Ms. S. Suryawanshi, learned Presenting Officer for the Respondents. 2. Today learned Advocate Shri S.B. Gaikwad has filed affidavit-in-rejoinder. It is taken on record. 3. Learned P.O. Ms. S. Suryawanshi for the Respondents made a statement that now the pension papers are processed and monetary benefits will be released within 8 weeks. It seems that pension papers could not be completed earlier because of some compliance to be made by the Applicant. Now the compliances are made and the papers are processed. As such now there is no hurdle in grant of pensionary benefits. 4. Even If any compliance remains to be made by the Applicant, he be called upon by the Department and applicant shall comply the same. 5. In view of the above, O.A. is disposed of with directions to the Respondents to get pension papers sanctioned from the office of Accountant General and release monetary benefits to the applicant within 8 weeks from today. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(I)</p> <p>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

Date : 14.01.2019.

O.A.No.322 of 2017

Dr. P.W. KhandezodApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Dr. P.W. Khandezod, Applicant in present is present, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 to 3 and Ms. G. Gavli, learned Presenting Officer for the Respondents No.4 & 5. Shri J.S. Deshnukh, learned Advocate for the Applicant is absent.

2. Learned P.O. Smt K.S. Gaikwad has submitted that affidavit-in-reply on behalf of Respondents No.1 to 3 will be filed during the course of day. It be taken on record. Reply on behalf of Respondents No.4 and 5 is already on record.

3. As the pleadings are complete matter is adjourned for final hearing on 13.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

**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 : 14.01.2019.</p> <p>O.A.No.800 of 2018</p> <p>P.H. ThakurApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. Ms. S. Suryawanshi for the Respondents has filed affidavit-in-reply on behalf of Respondent No.2 and is adopted on behalf of Respondent No.1 also. It is taken on record.</p> <p>3. Adjourned to 21.01.2019 for Final hearing at the stage of admission.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.738 of 2018</p> <p>C.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. Smt. K.S. Gaikwad has filed affidavit-in-reply on behalf of Respondents No.1 to 4. It is taken on record.</p> <p>3. As the issue involved in present O.A. is short one, matter is adjourned for Final hearing at the stage of admission and is fixed on 16.01.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Date : 14.01.2019. Tribunal's orders O.A.NO.42 of 2019
	<p>N.R. GaradApplicant Versus The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of the impugned order reveals that suspension order has been passed more than six months; but no Departmental Enquiry has been initiated by the Department neither review is taken as mandated by the Government Resolution dated 14.10.2011. Learned P.O. Smt. K.S. Gaikwad for the Respondents is directed to take instructions in this behalf and apprise the Tribunal about compliance of Government Resolution dated 14.10.2011.</p> <p>3. Issue notice before admission returnable on 12.02.2019.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>9. S.O. to 12.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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

Date : 14.01.2019,
Tribunal's orders
O.A.No.41 of 2019

A.M. WakchoureApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Perusal of the impugned order reveals that suspension order has been passed more than six months, but no Departmental Enquiry has been initiated by the Department neither review is taken as mandated by the Government Resolution dated 14.10.2011. Learned P.O. Smt. K.S. Gaikwad for the Respondents is directed to take instructions in this behalf and apprise the Tribunal about compliance of Government Resolution dated 14.10.2011.

3. Issue notice before admission returnable on 12.02.2019.

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 12.02.2019.

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 : 14.01.2019.
	<p style="text-align: center;">O.A.No.1128 of 2018</p> <p>A.M. KambleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 12.02.2019. 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 12.02.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>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>Date : 14.01.2019.</p> <p>O.A.No.12 of 2019</p> <p>N.G. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Respondent No.4 is private respondents. He is served but absent.</p> <p>2. Today learned C.P.O. Ms. S.P. Manchekar has filed affidavit-in-reply on behalf of Respondent No.2. Learned Advocate Shri K.R. Jagdale for the Applicant has also filed affidavit-in-rejoinder. Both are taken on record.</p> <p>3. Learned Advocate Shri K.R. Jagdale requested for early hearing of the matter as no interim relief has been granted by the Tribunal, whereas learned C.P.O. Ms. S.P. Manchekar seeks short time for hearing.</p> <p>4. In view of above, matter is taken up for Final hearing at the stage of admission.</p> <p>5. S.O. to 21.01.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.18 of 2019</p> <p>S.A. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.A. Patil, Applicant in person and Shri S.D. Dole, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 11.02.2019. 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 11.02.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Caram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.40 of 2019</p> <p>L.M. Donikar Applicant Versus The State of Maharashtra & Ors. ... Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 11.02.2019. 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 11.02.2019. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2019.</p> <p style="text-align: center;">O.A.No.39 of 2019</p> <p>K.V. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 28.01.2019. 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 28.01.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

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

Tribunal's orders

Date : 14.01.2019.

O.A.No.1079 of 2018

D.M. Atre

....Applicant

Versus.

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri S.D. Dole, learned Presenting Officer for the Respondents.
2. Today learned P.O. Shri S.D. Dole for the Respondents has filed short affidavit-in-reply on behalf of Respondent No.2 and seeks leave to file detailed affidavit-in-reply later.
3. In the present case small issue is whether the applicant's earlier period of service on temporary/adhoc basis should be considered for time bound promotion / Assured Career Progression Scheme. In fact this issue seems to be ^{squarely} ~~purely~~ covered by the judgment of Hon'ble High Court in Writ Petition No.9051 of 2013. In this behalf it is stated in the affidavit-in-reply filed today that Respondent No.2 has requested State Government to consider case of applicant for taking opinion from Law and Judiciary Department. It is further stated that on receipt of further order from Government necessary steps will be taken. As the issue is already covered by the judgment of Hon'ble High Court this matter needs to be decided on the same line. However, Respondents have not filed their detailed reply and today file only short affidavit-in-reply. Respondents are at liberty to file additional affidavit-in-reply in detail if they desire on next date and for that matter we need not wait for the decision of the Government as stated in the affidavit-in-reply filed today.
4. In view of the above, matter is adjourned for filing reply as well as for final hearing at the stage of admission.

5. S.O. to 28.01.2019.

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 O.A. No.38 of 2019
<p>DATE: <u>4/1/2019</u> <u>D/B</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi</u> (Chairman) Hon'ble <u>Shri M. Rameshkumar</u> (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Arjun Pawar</u> Ld. Adv. holding <u>By Smt. Shirin Shaikh</u> Ld. Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O./R.O. for the Respondent/s <u>1 & 3</u> Adv. <u>M.D. Lonkar</u> for R.2 Adj. To. <u>Issue notice returnable</u> <u>on 22/1/2019.</u></p> <p style="text-align: right;"><u>#7</u> <u>D.K.</u></p>	<p>S.R. Bagde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Arjun Pawar, learned Advocate holding for Smt. Shirin Shaikh, learned Advocate for the Applicant, Miss S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 3 and Shri M.D. Lonkar, learned Advocate for Respondent No.2</p> <p>2. Issue notice returnable on 22.1.2019.</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. 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>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. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. In case notice is not collected within three days and if 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.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 14.1.2019</p> <p>(sgj)</p>

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

Heard Shri Arjun Pawar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 20.2.2019.
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 three days and if 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.

DATE: 14/1/2019

Coram:

Honble Shri P.N. Dixit (C.M.A.)
Shri Arjun Pawar Ld. Adv. holding
for Shri Shankant Patil Ld. Adv.
for the appl.
Smt. K.S. Gaikwad
C.P.O./B...

Issue notice returnable
on 20/2/2019.

(sg)

Sd/-

(P.N. Dixit)
Member (A)
14.1.2019

8/2

**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
---	-------------------

M.A. No.446 of 2018 in O.A. No.457 of 2018

A.R. Chavan ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri P.R. Rathod, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant states that this MA has become infructuous and may be disposed off.

3. Accordingly MA is disposed off as infructuous.

Sd/-

(P.N. Dixit)
Member (A)
14.1.2019

(sgj)

DATE: 14/1/2019

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

APPEARANCE:
Shri P.R. Rathod
Advocate for the Applicant
Shri S.P. Manchekar
C.P.O / P.O. for the Respondent/s

Adj. To: Accordingly MA is disposed off as infructuous.
BK

**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
---	-------------------

O.A. No.457 of 2018

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

Heard Shri P.R. Rathod, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO seeks three weeks time to file reply.
3. S.O. to 5.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
14.1.2019

(sgl)

DATE: 14/1/2019

CONAM:

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

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

APPEARANCE:

Shri P.R. Rathod

Advocate for the Applicant

Shri/Ms. S.P. Manchekar

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

Adj. To: 14/1/2019

BT

**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
---	-------------------

O.A. No.868 of 2018

P.R. Shivade ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of Ld. CPO adjourned to 24.1.2019 for filing reply.

3. S.O. to 24.1.2019.

Sd/-

(P.N. Dixit)
Member (A)
14.1.2019

(sgj)

DATE: 14/1/2019

CORAM:

Mon'ble Justice Shri A. H. Joshi (Chairman)
Mon'ble Shri P.N. Dixit (Member) A

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for Applicant

Shri/Smt. S.P. Manchekar

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

Adj. To. 24/1/2019:

B.Te