

Date : 14.01.2020

M. A. No.481 of 2019 in O.A.No.680 of 2019

R. B. Dhumal

....Applicant

Versus

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

1. Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant was Jr.Clerk on the establishment of Respondent No.3 and after 11 years of service tendered resignation which came to be accepted w.e.f. 10.09.1987.

3. Applicant has filed O.A.No.680/2019 for grant of pension and gratuity along with M.A.No.481/2019 for condonation of delay of 32 years in filing O.A. He claims to be entitled to gratuity and pension on the basis of decision of *Hon'ble Bombay High Court in 2014 (4) Mh.L.J. 899 (Jeevan Kashinath Patil v/s State of Maharashtra & Ors).*

4. However, there is no proper explanation of inordinate and huge delay of 32 years.

5. At this juncture, Applicant requested for permission to withdraw the Original Application as well as M.A. with liberty to make representation to Respondent No.3 for grant of gratuity.

6. Allowed to withdraw the M.A. as well as O.A. with liberty to make representation to Respondent No.2 which may be decided on its own merit within reasonable time.

7. Misc. Application as well as Original Application are disposed of as withdrawn. No order as to cost.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directione and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2020</p> <p style="text-align: center;">O.A.No.37 of 2020 (Matter pertains to DB but it is placed before SB in view of office submission dated 09.01.2020)</p> <p>Chandrakant Shivaji RakhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Drs. ...Respondents.</p> <p>1. Heard Dr. Gunratan Sadavarte, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In present O.A., the Applicant has claimed limited relief of extension of time to submit his explanation in view of Notice issued by Respondent No.1 on 09.12.2019 whereby the Applicant was directed to submit explanation within three days and in failure to which necessary orders would be passed in respect of his appointment.</p> <p>3. Perusal of show cause notice reveals that in pursuance of the directions given by M.A.T. Bench Aurangabad in O.A.No.659/2017 pertaining to termination of services of the employee who have obtained appointment on the basis of false Freedom Fighter Certificate said show cause notice was issued.</p> <p>4. Show cause notice was issued on 09.12.2019 and reply was sought within three days.</p> <p>5. Learned Counsel for the Applicant submits that Applicant's mother is suffering from cancer, and therefore, he was not able to submit explanation within time.</p> <p>6. As three days time given in the Notice is over long back, it is necessary to know whether Respondent No.1 had passed any further order in the matter before passing any order in this O.A.</p> <p>7. Learned P.O. is directed to take instructions and apprise the Tribunal by tomorrow.</p> <p>8. At this stage, learned Counsel submits that he is not available, therefore, matter be kept on 29.01.2020.</p> <p>9. Hamdast granted.</p> <p>10. S.O. to 29.01.2020.</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	Tribunal's orders
	<p>Date : 14.01.2020</p> <p>O. A. No.32 of 2020</p> <p>S. T. ChaudhariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 03.02.2020. 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. 5.O. to 03.02.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2020</p> <p>O.A.No.1229 of 2019</p> <p>M. R. MujeedApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In terms of order passed by this Tribunal on 03.01.2020, today learned P.O. has filed affidavit of Shri Dinesh Waghmare, Principal Secretary, Social Justice & Special Assistance Department, Mumbai. However, Affidavit is far from satisfaction so as to explain 13 years delay in completion of D.E. as well as fixing responsibility for service of final order dated 17.07.2019.</p> <p>3. Learned P.O. submits that she will take further instructions and will apprise the Tribunal on 16.01.2020.</p> <p>4. Matter is adjourned to 16.01.2020.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p>[P.T.O.]</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 Date : 14.01.2020
	<p align="center">M.A. No.04 of 2020 in O.A.No.08 of 2020</p> <p>Dr. P. S. KhatwaniApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant is Medical Officer at ESIS Hospital, Nagpur and seeking direction to the Respondents to allow him to join the duty. 3. Perusal of O.A. reveals that Applicant is absent from 27.11.2015 on the ground of illness of his mother. The Applicant had requested for transfer to Mumbai but it was not responded. Perusal of letter dated 12.10.2017 issued by ESIS Hospital reveals that the Hospital has forwarded the proposal to the Government about joining of the employee. 4. Applicant was Medical Officer at Nagpur and cause of action for the present O.A. has occurred at Nagpur. Original Application is, therefore, required to be filed before the Nagpur Bench. 5. Registrar is, therefore, directed to return the proceeding of M.A. as well as O.A. to the Applicant for its presentation before M.A.T. Bench, Nagpur. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</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 Caram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2020</p> <p align="center">M.A.No.665 of 2019 in C.A.No.40 of 2019 in O.A.No.392 of 2019</p> <p>D.D. Kamble ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri B. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents. 2. Learned Advocate for the Applicant was directed to pay costs of Rs.2,000/- by order dated 09.01.2020 for non-compliance of the conditional order for issuance of notice and filing of affidavit of service in the Tribunal. 3. Today learned Advocate for the Applicant has tendered receipt of payment of Rs.2,000/-. 4. In view of the same, C.A.No.40/2019 in O.A.No.392/2019 is restored, and M.A.No.665/2019 filed for restoration is allowed. 5. M.A.No.665/2019 is allowed. <p align="center"> Sd/- Sd/- </p> <p align="center"> (A.P. Kurhekar) Member(J) (P.N. Dixit) Vice-Chairman </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 : 14.01.2020</p> <p>C.A.No.40 of 2019 in O.A.No.392 of 2019</p> <p>D.D. Kamble ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri B. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents. 2. Issue fresh notice returnable on 06.02.2020. 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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of C.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. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Contempt Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 06.02.2020. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(P.N. Dixit) Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.35 of 2020</u></p> <p>B.T. Dudhabhate & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 21.1.2020.</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: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.25 of 2020 in O.A. No.35 of 2020</u></p> <p>B.T. Dudhabhate & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By this MA, the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020 (sgl)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2020</p> <p>O.A.No.229 of 2019 With O.A.No.1121 of 2019 with M.A.No.641 of 2019</p> <p>G.A. Kiture & Ors. (O.A.229/2019) S.K. Bhitade (O.A.1121/2019 with M.A.641/2019) ...Applicants</p> <p>Versus The State of Maharashtra & Ors. ...Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. for the Respondents. 2. Learned Advocate for the Applicants tenders copy of two communications. The first communication is received from Respondent No.3 and second communication is received from Respondent No.2. The same is taken on record and marked as 'X' for the purpose of identification. 3. According to the same, the decision from Respondent No.2 is expected to be taken on early date. Learned Advocate for the Applicants submits that the training has started from 07.01.2020 and if the decision is taken within 30 days from the same, the Applicants may be in a position to attend training upto 07.02.2020. He, therefore, pleads that directions may be given to Respondent No.2 to take decision before the same. According to him this will involve medical examination and character verification. 4. In view of the above, Respondent No.2 is directed to take suitable decision as per rules expeditiously and inform this Tribunal accordingly. 5. Adjourned to 22.01.2020 at the request of learned C.P.O.. 6. Steno copy and Hamdast is allowed. <p style="text-align: center;"> Sd/- (A.P. Kurhekar) Member(J) </p> <p style="text-align: center;"> Sd/- (P.N. Dixit) Vice-Chairman </p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 14.01.2020</p> <p>M.A.No.555 of 2019 in O.A.No.999 of 2019</p> <p>N.V. Thokar ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri R.M. Kolge, learned Advocate holding for Shri P.S. Bhavake, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents.</p> <p>2. Learned P.O. for the Respondents files affidavit on behalf of Respondent No.2. It is taken on record.</p> <p>3. Learned Advocate Shri R.M. Kolge seeks two weeks.</p> <p>4. Adjourned to 30.01.2020.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</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><u>Q.A. No.309 of 2015 with O.A. No.937 of 2015</u></p> <p>A.S. Galande & Ors. N.T. Kamble ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants files rejoinder in OA No.309 of 2015 and adopts the same in OA No.937 of 2015. The same is taken on record.</p> <p>3. Ld. PO seeks time. At her request adjourned to 16.1.2020.</p> <p>Sd/- (A.P. Kurhekar) Member (J) 14.1.2020 (sgl)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.695 of 2019 in O.A. No.614 of 2014</u></p> <p>D.E. Hirde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 & 2 and Shri M.R. Patil, learned Advocate for Respondents No.3 to 7.</p> <p>2. Ld. Advocate for the applicant has filed this MA for permission to amend the OA as prayed in the MA.</p> <p>3. Ld. PO and Ld. Advocate for private respondents have no objection to the same.</p> <p>4. MA is allowed. Amendment be carried out within two weeks.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020 (sg)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p>

**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.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.1106 of 2019</u></p> <p>M.M. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.M. Savagave, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicant was working as Watchman from 1982 to 1990. After 30 years he has approached this Tribunal with the prayer to regularize his job. He submits that he has made application on 11.6.2019.</p> <p>3. Ld. PO opposes the same on the basis of limitation as this is a stale matter and three decades have been passed in between. Ld. Advocate for the applicant has not provided any grounds to justify the delay in approaching this Tribunal after 30 years. It is advisable that the applicant pursues the matter independently at the appropriate forum. As the applicant is unable to satisfy the Tribunal regarding the inordinate delay, we are of the considered opinion that this matter is time barred and deserves to be dismissed.</p> <p>4. OA is therefore dismissed.</p> <p style="text-align: center;"> Sd/- Sd/- </p> <p style="text-align: center;"> (A.P. Kurhekar) (P.N. Dixit) </p> <p style="text-align: center;"> Member (J) Vice-Chairman (A) </p> <p style="text-align: center;"> 14.1.2020 14.1.2020 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

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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 style="text-align: center;"><u>O.A. No.921 of 2015</u></p> <p>A.V. Disale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.D. Patil, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents and Shri A.A. Desai, learned Advocate for Interveners.</p> <p>2. As directed on 8.1.2020, Ld. CPO tenders copy of merit list of candidates to the Ld. Advocates for Applicant and Interveners. The cutoff for each category would also be provided to the them.</p> <p>3. Ld. Advocates seek adjournment for examining the same and bringing the outcome on the basis of necessary GR and Circulars.</p> <p>4. S.O. to 21.1.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020 (sgj)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.25 of 2020</u></p> <p>C.N. Suryavanshi & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Talekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 23.1.2020. The respondents are directed to file reply particularly in response to paras 21 & 29 to 36 of OA. Ld. Advocate for the applicant tenders copy of The Maharashtra Scheduled Castes, De-notified Tribes (Vimuktajatis), Nomadic Tribes, Other Backward Classes and Special Backward Category (Regulation of Issuance and Verification of) Caste Certificate Rules, 2012, which incorporates the provision of Rule 25.</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>8. Hamdast granted.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 14.1.2020</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p> </div> </div> <p>(sgi)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.960 of 2019</u></p> <p>A.E. Kerure ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Talekar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 2 and Shri M.D. Lonkar, learned Advocate for Respondent No.4.</p> <p>2. Ld. Advocate for respondent no.4 tenders copies of two judgments of this Tribunal with copies to Ld. Advocate for the applicant.</p> <p>3. S.O. to 15.1.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020 (sgj)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1224 of 2019</u></p> <p>S.T. Kadbane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice returnable on 6.2.2020.</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: center;">Sd/- (A.P. Kurhekar) Member (J) 14.1.2020</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman (A) 14.1.2020</p> <p>(sgj)</p>

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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 : 14.01.2020</p> <p align="center">M.A.No.619 of 2019 In O.A.No.755 of 2012</p> <p>D.S. Mujgaon ...Applicant Versus The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri N.Y. Chavan, learned Advocate for the Applicant, Shri A.J. Chougule, learned P.O. for the Respondents and Shri Arvind V. Bandiwadekar, learned Advocate for the Respondents No.3 and 4.</p> <p>2. M.A.No.619/2019 is filed for restoration O.A.No.755/2012 which was dismissed on 17.10.2019 for non-compliance of the conditional order for issuance of notice and filing of affidavit of service in the Tribunal.</p> <p>3. Learned Advocate for the Applicant is, therefore, directed to pay costs of Rs.2,000/- to the office and produce receipt of the same.</p> <p>4. At the request of learned Advocate Adjourned to 30.01.2020.</p> <p align="center">Sd/- Sd/- (A.P. Kurhekar) (P.N. Dixit) Member(I) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.01.2020</p> <p align="center">M.A.No.568 of 2019 in O.A.No.168 of 2018 with O.A.No.1115 of 2018</p> <p>A.V. Patil (M.A.568/2019 in O.A.168/2018) M.S. Jadhav (O.A.1115/2018)</p> <p align="right">...Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned C.P.O. for the Respondents No.1 & 2 and Shri S.S. Dere, learned Advocate for the Respondents No.3 & 4.</p> <p>2. Learned Advocate Shri C.T. Chandratre for the Applicant mentions that he may be allowed to withdraw M.A.No.568/2019.</p> <p>3. At the request of learned Advocate Shri C.T. Chandratre, M.A.N.568/2019 is disposed off as withdrawn.</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 14.01.2020</p>
	<p>O.A.No.1100 of 2019</p> <p>R. M. ShirwadkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., Applicant has challenged the suspension order dated 13.09.2019.</p> <p>3. Today, learned P.O. has tendered a copy of order passed by the Government on 14.01.2020 whereby the Applicant is reinstated in service but on different post. The copy of order is taken on record and marked by letter 'X'. Thus, grievance of prolong suspension is already addressed.</p> <p>4. However, learned Counsel for the Applicant submits that Applicant has entitled for posting at same place, therefore for that purpose matter be heard.</p> <p>5. Matter is adjourned for hearing at the stage of admission.</p> <p>6. S.O. to 21.01.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p style="text-align: right;">[P.T.O.]</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
	<p>Date : 14.01.2020</p> <p>O.A.No.30 of 2020</p> <p>S. V. SatamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the impugned order dated 20.12.2019 whereby recovery of Rs.3,31,180/- is sought and has also challenged the order dated 25.09.2018 whereby his pay is downgraded.</p> <p>3. Applicant stands retired at the end of February, 2019 from the post of PSI. It is only after retirement, he was served with notice to deposit Rs.3,31,180/- as alleged excess payment made to him at the time of pay fixation.</p> <p>4. Learned Counsel for the Applicant submits that Applicant was entitled to Time Bound Promotion as well as pay-scale given to him, and therefore, recovery after retirement is impermissible in law. He, therefore, seeks interim relief.</p> <p>5. As the recovery is sought after retirement without giving any show cause notice, I am inclined to grant interim relief.</p> <p>6. In view of above, interim relief as prayed in Paragraph No.15 (b) is granted till further orders.</p> <p style="text-align: right;">[PTO]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Issue notice before admission returnable on 17.02.2020.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>12. In case notice is not collected within 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>13. S.O. to 17.02.2020.</p> <p>14. Hamdast granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>