

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.502 of 2016
In
O.A. No.1119 of 2016

Shri D.G. Ghanvat ... Applicant

V/s.

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

These two proceedings can be and are being disposed of by this common judgment. Misc. Application for condonation of delay is allowed. The delay is condoned and Original Application is taken up for consideration.

I have perused the record and proceedings and heard Shri V.V. Joshi, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents.

The learned P.O. presents the communication of 04.02.2017 from the 4th Respondent to the learned C.P.O. alongwith the copy of office order No.08/2017 issued by the 4th Respondent. In fact now, this Original Application can be disposed of with the direction laying down on the time limit within which actual payment in accordance with communication and the office order above referred to must be made.

Hearing both the sides, I direct that the same be completed in all respect within two months from today and the outcome thereof be communicated to the Applicant within one week thereafter. No order as to costs.

Sd/-
 (R.B. Malik)
 Member (J)
 14.03.2017

14.3.17

(vsm)

DATE: 14/03/17

CORAM:

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

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

ADVOCATE FOR:

Shri V.V. Joshi

Advocate for the Applicant

Shri A.J. Chougule

~~Advocate for the Respondents~~

M.A. is Allowed

Adj. T. and O.A. is disposed

of

[Handwritten signature]

**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,
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directions and Registrar's orders

Tribunal's orders

O.A.No.350 of 2016

Shri M.D. Ingole ... Applicant

V/s.

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

Applicant and Advocate absent. Heard Smt. Archana B.K., the learned P.O. holding for Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

The request for the time to file Affidavit-in-Reply by the learned P.O. is rejected because the last chance was already granted. Original Application proceeds without reply.

It is, however, made clear that on the next date when the matter is called out for hearing, if reply is tendered it will be taken on record but no adjournment will be given thereafter.

In as much as, the Applicant himself is absent; this Original Application is formally admitted and appointed for hearing failing which for dismissal.

S.O. to 24.03.2017.

DATE: 14/03/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~

~~(Chairman)~~

Hon'ble Shri R. B. MALIK (Member) ✓

APPEARANCE:

~~Shri M.D. Ingole~~
~~Advocate for the Applicant~~
~~Archana B.K.~~
~~holding P.O. for R.S. Gaikwad~~
~~for the Respondents~~

~~Adj. to~~ S.O. to 24/3/17.

Sd/-

(R.B. Malik)
Member (J)
14.03.2017

(vsm)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>14/03/17</u></p> <p>CORAM: Hon'ble Shri. RAHVAGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) J</p> <p>APPEARANCE: Shri <u>P. A. Shinde</u> holding <u>power</u> <u>K.K. Waghmare</u> Advocate for the Applicant Shri <u>N.K. Rajpurohit</u> C.P.O. for the Respondents <u>Affidavit of Service</u> <u>Filed by Applicant.</u> <u>Adj. To.....</u> <u>S.O. to 11/4/17.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A.No.118 of 2017</u></p> <p>Shri P.A. Shinde ... Applicant</p> <p style="text-align: center;">V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri U. Shinde holding for Shri K.K. Waghmare, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned C.P.O. for the Respondents.</p> <p>Affidavit of service tendered by Shri Shinde is taken on record.</p> <p>On the request of learned C.P.O. adjourned for Affidavit-in-Reply.</p> <p>S.O. to 11.04.2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 14.03.2017</p> <p style="text-align: center;">(vsm)</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>DATE:</u> 14/03/17</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV SARWAL <small>(Vice-Chairman)</small> Hon'ble Shri R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>G.A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.S. for the Respondents <u>Rejoinder filed by Applicant</u> Adj. To: <u>O.A. is admitted</u> <u>S.O. to 29/3/17.</u></p>	<p style="text-align: center;"><u>O.A. No.1056 of 2016</u></p> <p>Shri A.S. Jage ... Applicant V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri G.A. Bandiwadkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned C.P.O. for the Respondents.</p> <p>Affidavit-in-Rejoinder to the Affidavit-in-Reply to the 1st Respondent is taken on record.</p> <p>Sur-rejoinder, if any, must be filed on the next date and not thereafter.</p> <p>It is also made clear that if the Respondents 2 and 3 also want to file reply, they must file on that date itself and not thereafter.</p> <p>Original Application is admitted and appointed for final hearing to 29.03.2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) 14.03.17 Member (J) 14.03.2017</p> <p style="text-align: center;">(vsm)</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: <u>14/03/17</u></p> <p>CORAM:</p> <p>Hon'ble Shri RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) ✓</p> <p>APPEARANCE:</p> <p>Shri <u>V.V. Joshi</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Archana B.K.</u> CFO/RO. for the Respondents</p> <p><u>S.O. to 11/04/17.</u></p> <p><i>[Signature]</i></p>	<p><u>O.A.No.119 of 2017</u></p> <p>Shri P.L. Naiknavare ... Applicant</p> <p>V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri V.V. Joshi, the learned Advocate for the Applicant and Smt. Archana B.K., the learned P.O. for the Respondents.</p> <p>On the request of learned P.O., adjourned for Affidavit-in-Reply.</p> <p>S.O. to 11.04.2017.</p> <p>Sd/-</p> <p>(R.B. Malik) Member (J) 14.03.2017</p> <p>(vsm)</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: <u>14/03/17</u></p> <p>CORAM:</p> <p>Hon'ble Shri. M.V. AGARWAL (Chief - Chairman)</p> <p>Hon'ble Shri. B. MALIK (Member) J</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>V.V. Joshi</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.S. Gaikwad</u> P.O. for the Respondents</p> <p><u>Affidavit of service</u> <u>Filed by Applicant.</u></p> <p>Adj. to <u>S.O. to 11/04/17.</u></p> <p><i>[Signature]</i></p>	<p><u>O.A.No.85 of 2017</u></p> <p>Shri A.K. Randive ... Applicant</p> <p>V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri V.V. Joshi, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.</p> <p>Affidavit of service tendered by Shri V.V. Joshi is taken on record.</p> <p>On the request of learned P.O. adjourned for Affidavit-in-Reply.</p> <p>S.O. to 11.04.2017.</p> <p>Sd/- <i>[Signature]</i> (R.B. Malik) Member (J) 14.03.2017</p> <p>(vsm)</p>

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

Tribunal's orders

**M.A.No.550 of 2016 in
O.A. No.1197 of 2016**

Shri S.M. Mane & 3 Ors. ... Applicants

V/s.

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

This is an application for condonation of delay in bringing the O.A. which itself is brought for benefits relating to the pay-scale to the post of Wireless Operator w.e.f. 29.09.2003 onwards.

I have perused the record and proceedings and heard Shri V.V. Joshi, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents. In fact there is substance in the submission of Shri V.V. Joshi, the learned Advocate that there may not be a delay at all for which proposition he refers me inter-alia to the orders passed by the Hon'ble Vice-Chairman in M.A. Nos.387/2012 in O.A.No.813/2012 and Others., dated 20.01.2014. There reliance was placed on earlier orders made by this Tribunal at its Aurangabad Bench and it was in effect held that similarly placed employees should be similarly treated as per the Applicants before the Aurangabad Bench and they should not be driven to pointless litigation. I agree with Shri V.V. Joshi that this direction casts an obligation on the Respondents to be proactive. Therefore, there is no question of there being any delay as such and even if technically the delay was, it has to be and is hereby condoned.

It is held that there is no delay and assuming that there was some delay, it is hereby condoned and the Applicants and the office of this Tribunal are directed to process this O.A. further to get it placed before the appropriate bench for disposal according to law.

O.A. No. 1197 of 2016 to 29.03.2017.

Sd/-

(R.B. Malik) 14.5.17
Member (J)
14.03.2017

DATE: 14/03/17

CORAM:

Hon'ble Shri. RANU AGARWAL

(Vice-Chairman)

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

APPEARANCE:

Shri/Smt. V.V. Joshi

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

M.A. Nos. Allowed.

Adj. to

O.A. vs Ady. To
29/3/17.

**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>14/3/2017</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> Hon'ble <u>Shri M. Ramchandra Kumar (Member)</u></p> <p>APPEARANCE: <u>Shri/Smt. A.V. Bandiwadkar</u> Advocate for the Applicant <u>Shri/Smt. K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>21/3/17</u></p> <p style="text-align: right;"><i>12/3 D.K.</i></p>	<p>14.03.2017 <u>O.A No 39/2017</u></p> <p>Shri K.A Jadhav & Ors ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Shri A.V Bandiwadkar, learned advocate for the Applicants, Smt K.S Gaikwad, learned Presenting Officer for the Respondents and Smt Punam Mahajan, learned advocate for the Intervenors.</p> <p>Learned Advocate Smt Mahajan, stated that in M.A 91/2017 which she has filed in this Original Application, this Tribunal has allowed the same and the Applicants in the Misc Application have to be implemented as party Respondents. However, the Applicants in the Original Application has not yet amended the O.A. Learned Advocate Shri Bandiwadkar stted that he will amend the O.A within two days and serve copies of the amended O.A on the added Respondents.</p> <p>Learned Advocate Smt Mahajan also stated that the order which was passed on 25.1.2017 restraining the official Respondents from giving effect to any promotion may not be continued. However, learned Advocate Shri Bandiwadkar opposed this prayer. He stated that the official Respondents have already delayed the finalization of the seniority list, which were ordered to be done by 31.1.2017 in O. A no 692/2015 regarding the same seniority list, and now they are seeking time upto 15.5.2017.</p> <p>Considering all the facts, interim relief will continue till the next date.</p> <p>S.O to 21.3.2017.</p> <p style="text-align: right;">Sd/- (<u>Rajiv Aggarwal</u>) Vice-Chairman</p> <p>Akn</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.

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<p>DATE: <u>14/3/2017</u></p> <p>CORAM: Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> <u>Rajiv Agarwal S/C</u> Hon'ble Shri <u>M. Rajesh Kumar (Member)</u> A</p> <p>APPEARANCE: Shri/Smt. : <u>None for the app.</u> Advocate for the Applicant Shri/Smt. : <u>K.B. Bhise</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>30/3/17 for dismissal.</u></p> <p style="text-align: right;"><i>MJK</i></p>	<p><u>14.03.2017</u></p> <p><u>O.A No 58/2017</u></p> <p>Shri S.A Gaykhe ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>None for the applicant. Heard Shri K.B Bhise, learned Presenting Officer for the Respondents.</p> <p>On the last occasion also none was present for the Applicant when the matter was heard on 5.2.2017. Learned Presenting Officer states that copy of the Original Application has not been served in the office of the learned C.P.O and as a result he is unable to file affidavit in reply.</p> <p>The matter may be kept for dismissal on 30.3.2017.</p> <p style="text-align: right;">Sd/- <i>l</i> (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: left;">Akn</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.

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<p>DATE: <u>14/3/17</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramasankar (Member)</p> <p>APPEARANCE: Shri/Smt. <u>V.V. Joshi</u> Advocate for the Applicant Shri/Smt. <u>S. Suryawanshi</u> C.FO/P.O. for the Respondent/s</p> <p>Ad. To <u>29/3/17</u></p> <p style="text-align: right;"><i>BYE</i></p>	<p>14.03.2017</p> <p>C.A 4/2017 in O.A No 850/2015</p> <p>Shri S.B Wagh ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>Heard Shri V.V Joshi, learned advocate for the Applicants and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>Learned Presenting Officer stated that all the arrears of salary of Shri Wagh has been paid. Learned Advocate Shri Joshi stated that proposal for payment of retiral dues has yet to be submitted to the office of the Accountant General.</p> <p>Learned Advocate Shri Joshi further stated that in the Original Application, two other Applicants were there. However, they have not been paid their dues.</p> <p>On instructions from Shri S.B Chattar, Dy. Executive Engineer, Khadakwasala Irrigation Division, Pune learned Presenting Officer stated that payments will be made to Shri Shelar and Shri Shinde and proposal regarding payment of arrears of retiral dues will be submitted to the office of Accountant General within two weeks.</p> <p>S.O to 29.3.2017.</p> <p style="text-align: right;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application 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
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14.03.2017

C.A 3/2017 in O.A No 849/2015

Shri D.C Bhosale ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

Heard Shri V.V Joshi, learned advocate for the Applicants and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

Learned Presenting Officer stated that all the dues of Shri Bhosale has been paid. She has also enclosed copy of Cheque issued to Shri Bhosale amounting to Rs. 1,64,714/-. However, learned Advocate Shri Joshi stated that the cheque has been dishonoured and the Applicant has not received any amount so far. Respondents are directed to issue a fresh cheque to Shri Bhosle within two weeks.

Learned Advocate Shri Joshi also stated that the one Shri Pature, who was applicant in the Original Application no. 849/2013, who is similarly situated has not received his dues.

On instructions from Shri S.B Chattar, Dy. Executive Engineer, Khadakwasala Irrigation Division, Pune, learned Presenting Officer stated that payments will be made to Shri Pature and proposal for paying arrears of retiral dues to him will be submitted to the office of Accountant General within two weeks.

S.O to 29.3.2017.

Sd/-

(Rajiv Agarwal)
Vice-Chairman

l

Akn

DATE: 14/3/2017

CORAM:

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

APPEARANCE:

Shri V.V. Joshi

Advocate for the Applicant

Shri S. Suryavanshi
C.P.O. for the Respondent/s

Adj. To: 29/3/17.

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B.K.