

# 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>17/3/17</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>For Applicant: <u>M. D. Lonkar</u></p> <p>Advocate for the Applicant</p> <p>Shri. <u>A. B. Kololgi</u></p> <p>For Respondents: _____</p> <p>Rejoinder filed by Applicant.</p> <p>Adj. to: <u>O.A. is admitted</u></p> <p><u>S.O. to 19/4/17</u></p> <p><i>F4</i> <i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A.1181/2016</u></p> <p><b>Mr. R.S. Patil</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. M.D. Lonkar, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.</p> <p>Mr. Lonkar, the learned Advocate for the Applicant submits that during the course of the day today, the Rejoinder shall be filed. The OA is admitted and appointed for final hearing on 19<sup>th</sup> April, 2017.</p> <p>Sur-rejoinder, if any, must be filed on that day and not thereafter.</p> <p style="text-align: right;">Sd/- (R.B. Malik) <u>17.3.17</u> Member (J) 17.03.2017</p> <p>(skw)</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>DATE: <u>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Shri. RAJIV AGARWAL</del> (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) J</p> <p>APPEARANCE:</p> <p>Secy: <u>C.T. Chandratre</u></p> <p>Advocate for the Applicant: <u>S. Suryawanshi (skw)</u> holding power of <u>K.S. Gaikwad</u></p> <p>Advocate for the Respondents: <u>D.A. as admitted.</u></p> <p>Adj. To: <u>S.O. to 7/4/17</u> <i>FM</i></p>	<p style="text-align: center;"><u>O.A.1082/2016</u></p> <p><b>Mr. V.G. Thakur</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. C.T. Chandratre, the learned Advocate for the Applicant and Ms. S. Suryawanshi holding for Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>Mr. Chandratre, the learned Advocate for the Applicant informs that the Applicant does not want to file Rejoinder. The OA is admitted and appointed for final hearing to 7<sup>th</sup> April, 2017.</p> <p style="text-align: right;">Sd/- <u>1</u> (R.B. Malik) <u>17-3-17</u> Member (J) 17.03.2017</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 Circumstances, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>17/3/17</u></p> <p>CORAM: <u>Hon'ble Shri. RAHVAGARWAL</u> (Vice-Chairman)</p> <p><u>Hon'ble Shri R. B. MALIK (Member)</u></p> <p>APPEARANCE: <u>Shri Smt. P.S. Pathak</u> Advocate for the Applicant</p> <p><u>Shri Smt. Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondents holding for K.S. Gaikwad.</p> <p>Adj. To: <u>O.A. is admitted</u> <u>S.O. to 30/3/17</u></p> <p><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A.991/2016</u></p> <p><b>Mr. S.I. Patel @ Patil</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. P.S. Pathak, the learned Advocate for the Applicant and Ms. S. Suryawanshi holding for Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>The OA is admitted and appointed for final hearing to 30<sup>th</sup> March, 2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) <u>17.3.17</u> Member (J) 17.03.2017</p> <p>(skw)</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

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## 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: <u>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Shri. RAHV AGARWAL</del> <del>(Vice-Chairman)</del></p> <p>Hon'ble Shri R. B. MALIK (Member) ✓</p> <p>APPEARANCE:</p> <p><del>Sri/Smt. Applicant and Advocate absent.</del></p> <p><del>Sri/Smt. Ms. S. Suryawanshi</del> C.P.O./P.O. for the Respondents ✓</p> <p>Adj. To: <u>O.A. is admitted.</u> <u>S.O. to 24/3/17.</u></p> <p>FH <i>[Signature]</i></p>	<p><u>O.A.940/2016</u></p> <p><b>Mr. D.S. Patil</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Applicant and Advocate absent. They have been remaining absent on the various dates as would become clear from the earlier orders. Ms. Suryawanshi, the learned PO for the Respondents.</p> <p>The OA is formally admitted and adjourned for hearing failing which for dismissal on 24<sup>th</sup> March, 2017.</p> <p>Sd/- (R.B. Malik) <u>17-3-17</u> Member (J) 17.03.2017</p> <p>(skw)</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>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Shri. RAJIV ASHWAL</del> (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member)</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>G. Sadawarte</u> with <u>S.P. Wasnik</u> Advocate for the Applicant</p> <p><del>Shri/Smt. Ms. S. Suryawanshi</del> C.P.O./P.O. for the Respondents</p> <p>order passed in the Tribunal's column.</p> <p>Adj. To: _____ S.O. to <u>22/3/17</u></p> <p><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A.133/2017</u></p> <p><b>Dr. S.A. Panchbhai</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. G. Sadawarte with Mr. S.P. Wasnik, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>Not before me. To be placed before the Hon'ble Chairman for making the appropriate order for reassignment of the matter. It may appear before such a Bench on 22<sup>nd</sup> March, 2017.</p> <p style="text-align: right;">Sd/- <u>ic</u> (R.B. Malik) <u>17.3.17</u> Member (J) 17.03.2017</p> <p>(skw)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET NO.**

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

Tribunal's orders

O.A.179/2017

**Mr. K.M. Isame** ... Applicant  
**Vs.**  
**The State of Mah. & ors.** ... Respondents

Heard Mr. L.S. Deshmukh, the learned Advocate for the Applicant and Ms. N.G. Gohad holding for Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

The learned PO is being instructed by Kiran Mali, Deputy Commissioner, Tribal Department, Thane.

This is an OA which need not be simply adjourned or taken in the normal course. Detailed reasons are not necessary to be mentioned today, but I direct that on 21<sup>st</sup> March, 2017, either the Respondent must come up with definitive proposals to settle the matter or come ready with the reply, so that the OA can be heard and decided immediately.

S.O. to 21<sup>st</sup> March, 2017.

Sd/- 3.17

(R.B. Malik)  
Member (J)  
17.03.2017

DATE: 17/3/17

CORAM:

Hon'ble Shri. RAJYAGARWAL  
(Vice-Chairman)

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

APPEARANCE:

Sd/- L.S. Deshmukh

Advocate for the Applicant N.G. Gohad

holding for Ms. S. Suryawanshi

Presenting Officer for the Respondents

(skw)

Adj. To S.O. to 21/3/17

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Forum,  
Appearances, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

O.A.1142/2016

Mr. D.B. Karnale ... Applicant

Vs.

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

Heard Mr. K.R. Jagdale, the learned Advocate for the Applicant and Mrs. A.B. Kololgi, the learned Presenting Officer for the Respondents.

The Affidavit-in-rejoinder is taken on record. The OA is admitted and appointed for final hearing to 7<sup>th</sup> April, 2017.

The Affidavit-in-reply of Respondent No.1, if it is filed during the course of the day today, it will be taken on record, otherwise the OA shall proceed without the Affidavit-in-reply of the 1<sup>st</sup> Respondent. Sur-rejoinder, if any, must be filed on the next date and not thereafter.

S.O. to 7<sup>th</sup> April, 2017.

Sd/-

(R.B. Malik)  
Member (J)  
17.03.2017

3-17

(skw)

L.O.

Heard both the sides. The Respondent No.1 may file his Affidavit-in-reply on 7<sup>th</sup> April, 2017.

Sd/-

(R.B. Malik)  
Member (J)  
17.03.2017

11-3-17

DATE: 17/3/17

CORAM:

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

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

APPEARANCE:

Shri. K.R. Jagdale

Adv. for the Applicant

S. Smt. A.B. Kololgi

Presenting Officer for the Respondents

Ad. to 50 to 7/4/17



**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

O.A.235/2017

**Mr. V.V. Chavan** ... Applicant

**Vs.**

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

Heard Mr. V.V. Tare-Patil with Mr. M.D. Lonkar,  
the learned Advocate for the Applicant and Mrs. A.B.  
Kololgi, the learned Presenting Officer for the  
Respondents.

Issue notice returnable on 31.03.2017.

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

Applicant is authorized and directed to serve on  
Respondents intimation / notice of date of hearing duly  
authenticated by Registry, along with complete paper book  
of O.A. Respondents are put to notice that the case would  
be taken up for final disposal at the stage of admission  
hearing.

This intimation / notice is ordered under Rule 11  
of the Maharashtra Administrative Tribunal (Procedure)  
Rules, 1988 and the questions such as limitation and  
alternate remedy are kept open.

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

S.O. to 31<sup>st</sup> March, 2017.

Sd/-

(R.B. Malik)  
Member (J)  
17.03.2017

3.17

DATE: 17/3/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL  
(Vice Chairman)

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

APPEARANCE:

Shri/Shri. V.V. Tare-Patil with

M.D. Lonkar  
Advocate for the Applicant

Shri/Shri. A.B. Kololgi

C.P.O./P.O. for the Respondents No.1.

Seethu P. Poojary, Acar

P.No. 2 C.V.P. filed.

Adj. To: \_\_\_\_\_

S.O. to 31/3/17.

*Q.raj*

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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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: <u>17/3/17</u></p> <p><u>CORAM:</u></p> <p><del>Hon'ble Shri. RAHVAGARWAL</del> (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) ✓</p> <p><u>APPEARANCE:</u></p> <p>Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N.K. Rajpurohit</u> C.P.O./P.O. for the Respondents ✓</p> <p>Adj. To <u>S.O. to 31/3/17</u></p> <p><i>(Signature)</i></p>	<p style="text-align: center;"><u>O.A.223/2017</u></p> <p><b>Mr. S.D. Jadhav</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Presenting Officer for the Respondents.</p> <p>Issue notice returnable on 31.03.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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>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>The service may be done by hand delivery / speed post / courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 31<sup>st</sup> March, 2017.</p> <p style="text-align: right;">Sd/- <u>3.17</u> (R.B. Malik) Member (J) 17.03.2017</p> <p>(skw)</p>

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

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Office Notes, Office Memoranda of Coram, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Smt. RAJIVAGARWAL</del> (Vice-Chairman)</p> <p>Hon'ble Smt. R. B. MALIK (Member) J</p> <p>APPEARANCE: Ms. R. Fernandis <i>holding for D.B. Khair</i></p> <p>Advocate for the Applicant</p> <p><del>Smt. K.S. Gaikwad</del> (skw)</p> <p>C.P.O./F.O. for the Respondents</p> <p>Reply filed by R.No. 123</p> <p>Adj. To <u>S.O. to 31/3/17.</u></p> <p><i>[Signature]</i></p>	<p><u>M.A.22/17 in O.A.259/16 with O.A.260/2016</u></p> <p><b>Udyog Sanchanalay Kshetra Sahayak Sanghatana</b> ... Applicant</p> <p><b>Vs.</b></p> <p><b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Ms. R. Fernandis holding for Mr. D.B. Khair, the learned Advocate for the Applicant and Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>Affidavit-in-reply to the MA of Respondents 1 to 3 taken on record. Adjourned to <u>31<sup>st</sup> March, 2017.</u></p> <p>Sd/- <u>3.17</u> (R.B. Malik) Member (J) 17.03.2017</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>DATE: <u>17/3/17</u></p> <p>CORAM: Hon'ble Shri. <u>RANVAGARWAL</u> (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member) ✓</p> <p>APPEARANCE: Scribe: <u>K.R. Jagdale</u> Advocate for the Applicant Shri <u>A.B. Kolgi</u> G.P.O./P.O. for the Respondents <u>Reply and short affidavit filed by R.No. 2.</u> Adj. To: <u>O.A. is admitted</u> S.O. to <u>31/3/17</u> <u>FM</u></p>	<p style="text-align: center;"><u>O.A.06/2017</u></p> <p><b>Mr. A.G. Dabholkar</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. K.R. Jagdale, the learned Advocate for the Applicant and Ms. A.B. Kolgi, the learned Presenting Officer for the Respondents.</p> <p>The learned PO is being instructed by Mr. K.S. Ravte, Inspector, DEVT, Mumbai.</p> <p>I have in fact heard this matter for some time, and therefore, even while admitting this OA, I make it clear that on the next date, it shall be heard because of the facts involved. The OA is admitted and appointed for final hearing to 31<sup>st</sup> March, 2017.</p> <p style="text-align: right;">Sd/- (R.B. Malik) <u>17-3-17</u> Member (J) 17.03.2017</p> <p>(skw)</p>

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

Tribunal's orders

O.A. No.156 of 2016

Smt. K.A. Jamdar

... Applicant

V/s.

The State of Mah. & ors.

... Respondents

Heard the Applicant with Shri R.K. Mendadkar, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

This Original Application was substantially heard and argued and rejoinder remained. It now appears that the Applicant wants to deny her signature on a particular document, a copy of which is at page No.54 of the Affidavit-in-Reply, which she has done by way of Affidavit-in-Rejoinder.

I have on oath examined the Applicant only to explain to her the seriousness of the move to deny the signature though I make it clear that she is free to take whatever stands she wants.

I am satisfied that she has understood that if she were to deny improperly the signature on a document which *ex-facie* appears to her, it would be pregnant with serious consequence even of criminal nature.

The learned P.O. seeks time to file Affidavit-in-Sur-Rejoinder and though the progress of O.A. might be affected but the interest of justice, request is granted and the Original Application stands adjourned to 31.03.2017.

DATE: 17/3/17

CORAM:

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

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

APPEARANCE:

Shri/Smt. R.K. Mendadkar

Advocate for the Applicant, Applicant Present.

Shri/Smt. K.S. Gaikwad

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

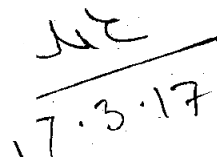
Adj. To 31/3/17

PH



Sd/-

(R.B. Malik)  
Member (J)  
17.03.2017

  
17.3.17

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<p><b>DATE:</b> 17/3/17</p> <p><b>CORAM:</b>  <del>Mr. Mr. Shri. RAJIV AGARWAL</del>  (Vice-Chairman)  <del>Mr. Mr. Shri R. B. MALIK (Member)</del></p> <p><b>APPEARANCE:</b>  <del>Shri. Mr. K. R. Jagdale</del>  Advocate for the Applicant  <del>Shri. Ms. N.G. Gohad</del>  C.P.O./P.O. for the Respondents</p> <p><i>O.A. is disposed</i></p>	<p align="center"><b><u>O.A.173/2017</u></b></p> <p><b>Mr. K.S. Bauskar</b> ... Applicant  <b>Vs.</b>  <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. K.R. Jagdale, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>This OA can be disposed of at this stage itself.</p> <p>This is a transfer related matter. The details are not necessary to be set out. The Applicant seeks transfer from Jail Department to another Department. In that connection, one part of the prayer is that a certain order dated 1.9.2016 be quashed and set aside and necessary order of transfer be made and alternatively, there has been a prayer to consider the representation of the Applicant dated 14.9.2016 in the light of the G.R. dated 3<sup>rd</sup> June, 2011. The learned PO Ms. Gohad on instructions from Mr. S.P. Jadhav, Jailor Gr.II, Mumbai Central Prison <sup>in fact</sup> apparently told me that the said representation has not been received at the address mentioned therein. But that does not seem to be so, because through proper channel, it was handed over to the place of the present posting of the Applicant in Byculla Jail on 15.9.2016 itself and on the 1<sup>st</sup> page itself, it appears that a copy was also served in the Home Department in Mantralaya and now, more than six months have elapsed. The time was sufficient enough for an appropriate decision to be taken and communicated to the Applicant, and therefore, reserving the right of the Applicant to re-agitate by way of an appropriate proceeding, even the main prayers and for any other remedy open, this OA is disposed of with directions to the Respondent No.1 to consider and decide the representation made by the Applicant dated 14.9.2016 on or before 15<sup>th</sup> April, 2017 and communicate to the Applicant the result thereof within one week thereafter. No order as to costs. Hamdast.</p> <p align="right">Sd/-  (R.B. Malik)  Member (J)  17.03.2017</p> <p align="right"><i>17.3.17</i></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><b>DATE:</b> 17/3/17</p> <p><b>CORAM:</b>  <del>Hon'ble Shri. RAJIV AGARWAL</del>  (Vice-Chairman)  Hon'ble Shri R. B. MALIK (Member)</p> <p><b>APPEARANCE:</b>  <del>Advocate for the Applicant</del>  K.S. Gaikwad  Respondent Impersonal  <del>C.F.O./P.O. for the Respondents</del>  Order passed in the Tribunal's Coram.  Adj. to  M.A. 83/17 - disposed as allowed.  M.A. 84/17 - disposed as rejected.</p>	<p><b>M.A.83/17 in O.A.16/2015</b></p> <p><b>The State of Mah. &amp; Ors. ... Applicants</b>  <b>(Ori. Respondents)</b></p> <p><b>Vs.</b></p> <p><b>Mr. A.W. Kulkarni ... Respondent</b>  <b>(Ori. Applicant)</b></p> <p>Mrs. K.S. Gaikwad, the learned Presenting Officer for the Applicants (Ori. Respondents). The original Applicant in person.</p> <p>The Affidavit-in-reply has not been filed and none is really necessary. The delay is condoned and the MA for extension of time is taken up for consideration. The Hon'ble Vice-Chairman by the order of 13.10.2016 directed that the Respondents should consider the case of the present Applicant in terms of G.R. dated 5.7.2010 within a period of two months from that date, which expired on 13<sup>th</sup> December, 2016. This application was presented in February, 2017. The learned PO submits that the steps are afoot to challenge the order above referred to, by way of Writ Petition. Now, there has to be, but there is no plausible reason why the order could not be complied with. Assuming, they wanted to challenge it, the compliance could still have been made subject to the ultimate outcome of the said Writ Petition and in any case, lack of seriousness, lack of diligence and complete disdain to the orders of this Tribunal is quite clearly exemplified by the fact that even this move was not made within the time prescribed by the above order referred to. The request for extension of time, is therefore, turned down and the MA is stand hereby rejected, though it has been heard for the sake of records by condoning the delay. Both the MAs are disposed of as above with no order as to costs.</p> <p style="text-align: right;">Sd/-  (R.B. Malik)  Member (J)  17.3.17  17.03.2017</p> <p>(skw)</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>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Shri P. V. VAGARWAL</del> (Pres. Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) ✓</p> <p>APPEARANCE:</p> <p><del>Shri/Smt. K.S. Gaikwad</del></p> <p>Advocate for the Applicant P.O. <u>M.D. Lonkar</u></p> <p>Shri/Smt. <u>M.D. Lonkar</u></p> <p><del>CFO/RO for the Respondents</del> Adv.</p> <p>Adj. To <u>M.A. is Allowed.</u></p>	<p><u>M.A.540/2016 in O.A.945/2016</u></p> <p><b>The State of Mah. &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>Mr. G.M. Madake ... Respondent</b></p> <p>Heard Mrs. K.S. Gaikwad, the learned Presenting Officer for the Applicant (Ori. Respondent No.2) and Mr. M.D. Lonkar, the learned Advocate for the Respondent (Ori. Applicant).</p> <p>The learned Advocate for the original Applicant has no objection, if the order imposing cost is recalled. Along with this fact, I have myself examined the facts and I am of the view that no injustice will be caused to the Applicant, if this MA were to be allowed. The order herein mentioned, is therefore, recalled and the amount of cost, if deposited be refunded to the Respondent No.2 on a proper identification being made. The MA is allowed with no order as to costs.</p> <p style="text-align: right;">Sd/- (R.B. Malik) Member (J) 17.03.2017</p> <p style="text-align: right;">MC <u>17.3.17</u></p> <p>(skw)</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><b>DATE:</b> 17/3/17</p> <p><b>CORAM:</b> Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><b>APPEARANCE:</b> Shri/Smt. M.D. Lonkar Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.R.O./P.O. for the Respondents</p> <p>Adj. To: O.A. is Allowed</p>	<p><b>O.A.945/2016</b></p> <p><b>Mr. G.M. Madake ... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors. ... Respondents</b></p> <p>The gratuity having admittedly <sup>been</sup> being paid pending this OA (see Page 37, Para 3). The dispute now remains restricted to the issue of interest which is governed by Rule 129-A of the Maharashtra Civil Services (Pension) Rules, 1982.</p> <p>I have perused the record and proceedings and heard Mr. M.D. Lonkar, the learned Advocate for the Applicant and Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>According to the Respondents, the gratuity was held up in view of the contemplated Departmental Enquiry which has not gone underway even till date. Therefore, that aspect of the matter is something which need not detain me at all.</p> <p>The payment of gratuity to the extent of 90% was made on 8.11.2016 and the balance 10% on 19.11.2016. The Applicant retired on superannuation on 31.10.2015. Admittedly, even after the lapse of three months, his gratuity was not paid to the Applicant and there is no valid ground for doing so. Therefore, it is very clear that w.e.f.01.02.2016 till actual payment on 8.1.2016 and 19.11.2016, the Applicant would be entitled to the interest as provided for in Rule 129-A of the Pension Rules.</p> <p>It is recorded that the Applicant, pending this OA has in accordance with his entitlement received 90% of the gratuity on 8.11.2016 and the balance 10% on 19.11.2016. The Respondents are directed to pay to him interest at the rate applicable to General Provident Fund deposits from 01.02.2016 till the date of actual payments. Compliance within six weeks from today. The OA is allowed in these terms with no order as to costs.</p> <p style="text-align: right;">Sd/- (R.B. Malik) 17.3.17 Member (J) 17.03.2017</p> <p>(skw)</p>

(Presenting Officer.....)

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

Tribunal's orders

**17.03.2017****O.A No 238 & 239/2017**

Shri Eknath J. Barshinge & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri Rahul G. Walia, learned advocate for the Applicants and Smt Kranti S.Gaikwad, learned Presenting Officer for the Respondents.

2. A similar order has been passed in O.A no 219/2017 on 15.3.2017. As the facts and circumstances are identical the following order is passed.

“Learned Advocate Shri Walia vehemently argued that the Respondent no. 3 has conducted the D.E against the Applicant personally though he himself is the Disciplinary Authority. As he has a legal background and he is conducting enquiry personally in all fairness he should allow the Applicant to engage Defence Assistant/Legal Practitioner. Though on two occasions request was made to Respondent no. 3 to allow applicant to allow to engage Defence Assistant/Legal Practitioner, the said requests were rejected. Without giving any opportunity to the Applicant, the Disciplinary Authority has concluded the enquiry and a show cause notice has been issued on 1.3.2017 asking the Applicant to submit his say on the said enquiry report. Learned Advocate for the Applicant also relied on the judgment of the Rajasthan High Court in Deoki Nandan Kulshreshtha Vs. State of Rajasthan & Anr, 1985, SLN UC 103, wherein it has been held that if in a Departmental Enquiry a Government employee is denied

[P.T.O.]

opportunity to appoint a Defence Assistant, this will vitiate proceedings of the D.E. He, strongly urged that the show cause notice dated 1.3.2017 as well as the conclusion of the Respondent no. 3 in the D.E held against the Applicant also dated 1.3.2017 may be stayed.

Learned Presenting Officer stated that this Original Application is premature as no final order has yet been passed in the D.E. The rules do not prohibit Disciplinary Authority from conducting enquiry himself. It is optional for him to hold enquiry himself or to appoint an Enquiry Officer. In the present case, the Disciplinary Authority has thought it fit to conduct the enquiry himself. The reason why the request of the Applicant for appointment of Defence Assistant was not considered is also explained in the enquiry report. She, therefore, stated that no interim relief may be granted before the Respondents are given opportunity to file a detailed reply.

No doubt, the issues raised by the learned Advocate Shri Walia are important and will be considered at the time of final hearing, however, I am inclined to agree with the submission made by the learned Presenting Officer that no final order has been passed in the D.E and all issues raised in the O.A will be duly considered finally. No interim relief is granted at this stage. However, liberty is granted to the Applicant in case if any order is passed during the pendency of this Original Application, he may mention it before the concerned Bench. Needless to say that any order passed by the Respondents will be subject to the outcome of this Original Application.

6. Issue notice before admission made returnable on 29.3.2017.

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

8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is

(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

put to notice that the case would be taken up for final disposal at the stage of admission hearing.

9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

11. S.O 29.3.2017.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Alm

**DATE:** 12/3/17

**CORAM:**

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

**APPEARANCE:**

Shri/Smt. R. G. Walia


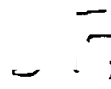
Advocate for the Applicant

Shri/Smt. K. S. Gaikwad

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

Adj. To 29/3/17.

**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>17/3/17</u></p> <p>CORAM:</p> <p><del>Hon'ble Shri RAJIV AGARWAL</del> (Vice Chairman)</p> <p>Hon'ble Shri R. B. MALIX (Member) ✓</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>A. S. Kulkarni</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A. J. Chougule</u> C.P.O./P.O. for the Respondents <u>NO. 1 to 3.</u> <u>Ms. N. Ansari for R. NO. 4.</u></p> <p>Adj. to <u>written statement</u> <u>Filed by R. NO. 4.</u></p> <p>S.O. to <u>20/3/17</u> <u>For Reply</u> </p>	<p style="text-align: center;"><b><u>O.A.1147/2016</u></b></p> <p><b>Mr. B.N. Bhagat</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; ors.</b> ... Respondents</p> <p>Heard Mr. A.S. Kulkarni, the learned Advocate for the Applicant, Mr. A.J. Chougule, the learned Presenting Officer for the Respondents 1 to 3 and Ms. N. Ansari, the learned Advocate for Respondent No.4.</p> <p>Although Ms. N. Ansari, the learned Advocate for Respondent No.4 has filed the reply in the form of written statement, but it is supported by the Affidavit, and therefore, without insisting on technicality, it is taken on record. The matter is removed from the column of dismissal and is adjourned finally for the Affidavit-in-reply of Respondents 1 to 3 on 20<sup>th</sup> March, 2017.</p> <p style="text-align: right;">Sd/-  (R.B. Malik) Member (J) 17.03.2017</p> <p>(skw)</p>

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

17.03.2017

O.A No 231/2016

Shri R.T Awate ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.

2. The issue of interim relief is kept open as learned P.O seeks time to file affidavit in reply.

3. Issue notice before admission made returnable on 27.3.2017.

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

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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. S.O 27.3.23017.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Akn.

[P.T.O.]

17/3/17

Coram - H.M. Shri Rajiv Agarwal & Jg

Adv. B.A. Bandiwadekar for  
the app.

Shri A.J. Chougule, P.O.  
for the Resps

S.O. dt 27/3/17.

*RTE*

(Presenting Officer.....)

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

Tribunal's orders

**17.03.2017**

**O.A No 242/2017**

Shri S.K Bolbhat ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate Shri Bandiwadekar sought interim relief of staying the recovery to the loss caused to the Government, by the Applicant as held in the D.E against the Applicant. Learned Advocate Shri Bandiwadekar stated that in the earlier round of litigation this Tribunal in O.A no 912/2013 has commented on this aspect and held that the Respondents in that case were unable to point out any rule or law which authorized or empowered the Respondents to attach property of the Applicant to recover the loss caused by him to the Government. Learned Advocate Shri Bandiwadekar stated that after the matter was remanded back to the Respondents, the same order has been passed.
3. On perusal of the order passed by Respondent no. 2 dated 27.10.2015, which is appended at Exh.K, Respondent no. 2 has directed that the amount of loss caused by the Applicant to the Government may be recovered from him by taking appropriate legal recourse.
4. In my view, this order is qualitatively different from the earlier order, wherein Respondents have directed that the amount of loss caused by the Applicant to the Government should be recovered by attaching the property of the Applicant.

RH

[P.T.O.]

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

Tribunal's orders

5. In view thereof, I am not inclined to grant any interim relief.

6. Issue notice before admission made returnable on 13.4.2017.

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

8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

11. S.O 13.4.2017.

(Rajiv Agarwal)  
Vice-Chairman

Akn

17/3/17

Coram - Hon. Shri Rajiv Agarwal W/C

Shri B.A. Bandiwadkar  
for the appl.

Shri A.J. Chougale P.O.  
for the Re/B

S.O. to 13/4/17.

17/3



(Presenting Officer.....)

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

Tribunal's orders

**17.03.2017****O.A No 241/2017**

Shri S.T Borate & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri S.S Dere, learned advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate Shri Dere stated that the D.E has been ordered against the Applicants on more or less the same charges as in the criminal case which has also been filed against them. The Applicants had earlier filed O.A. no 24/2016 and this Tribunal by order, dated 18.1.2016 has granted interim stay to the continuation of the D.E. The stay was continued from time to time and by order dated 19.12.2016 the O.A was finally disposed of with directions to the Respondents to give a reasoned order on the issue of whether the D.E should be kept pending till conclusion of the criminal case. The same has been passed by the Respondents on 17.2.2017 which is appended as Exh-A. The Respondents have decided to continue the D.E. Learned Advocate Shri Dere stated that it will jeopardize the defence of the Applicants in the criminal case as their defence will be disclosed in the D.E. Most of the witnesses in both the proceedings are common. Learned Advocate Shri Dere, therefore, prayed that the proceedings in the D.E may be postponed.
3. Learned P.O opposed grant of Interim relief. He stated that as per earlier judgment of the Tribunal, a conscious decision has been taken by the Respondents to continue the D.E and the charge which was common in the criminal case and the D.E has been dropped. As the D.E is being held on separate set of charges, there is no bar to its continuance.

[PTO]

4. This is a second round of litigation. The Respondents have acted on the directions given by this Tribunal by order dated 19.12.2016 in O.A no 24/2016. Whether continuance of D.E against the Applicants will jeopardize their case in the criminal case is a issue which has to be decided. However, for that opportunity will have to be given to the Respondents to file affidavit in reply.

5. Considering these facts, I am not inclined to grant any interim relief.

6. Issue notice before admission made returnable on 10.4.2017.

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

8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

9. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

11. S.O 10.4.2017.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

DATE: 17/3/17

CORAM:

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

APPEARANCE:

Shri S. S. Dere

Advocate for the Applicant

Shri A. J. Chougale  
C.P.O./P.O. for the Respondent/s

Adj. To 10/4/2017

RJT  
ate

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION 222 OF 2017**

**DISTRICT : THANE**

Smt N.G Pawaskar )...**Applicant**

**Versus**

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

Shri B.A Bandiwadekar, learned advocate for the Applicant.

Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

**CORAM : Shri Rajiv Agarwal (Vice-Chairman)**

**DATE : 17.03.2017**

**ORDER**

1. Heard Shri B.A Bandiwadekar, learned advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Presenting Officer has placed on record a copy of order of the Nagpur Bench of this Tribunal dated 6.5.2016 in O.A no 280/2015, by which the Tribunal allowed Respondent no. 3 to appear for the interview for the post reserved for OBC category candidate. Respondent no. 4 has been selected from OBC female category and both have submitted NCL certificate. Learned Advocate Shri Bandiwadekar stated that Respondent no. 5, who is selected against the vacancy reserved for open female category, admittedly ~~she~~ has not produced NCL Certificate. He, therefore, stated that atleast as far as Respondent no. 5 is concerned, the Respondents may be directed not to give her appointment till the disposal of this O.A

lh  
lh

3. Learned Presenting Officer opposed grant of any interim relief. She stated that though Respondent no. 5 was appointed against open female category because all the three candidates called for that post was not eligible and she was accommodated against that post.

4. The Applicant has been selected against the post reserved for open female category. As per G.R dated 25.5.2001 issued by Women and Child Welfare Department, for selection to the post of open female category, a candidate is required to submit NCL Certificate, otherwise such a candidate is not eligible to be selected against the post reserved for open female category candidate. There appears to be some ground to support the contention of the learned Advocate for the Applicant.

5. In view of the above facts and circumstances, the Respondents are directed not to appoint Respondent no. 5 against open female category till the final disposal of this O.A.

6. Issue notice before admission made returnable on 17.4.2017.

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

7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988,



and the questions such as limitation and alternate remedy are kept open.

9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

10. S.O 17.4.2017.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

**Place : Mumbai**  
**Date : 15.03.2017**  
**Dictation taken by : A.K. Nair.**

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**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><b>DATE:</b> <u>17/3/17</u></p> <p><b>CORAM:</b> Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> Hon'ble <u>Shri M. Ramchakumar (Member)</u></p> <p><b>APPEARANCE:</b> <u>Shri M.D. Lonkar</u> Advocate for the Applicant <u>Shri Savita Suryavanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>24/3/2017</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p><b><u>17.03.2017</u></b></p> <p><b><u>C.A 16/2017 in O.A No 611/2015</u></b></p> <p>Shri A.A.G Patel ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>Heard Shri M.D Lonkar, learned advocate for the Applicants and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>As instructed by Shri Shrinivas Mokalikar, Section Officer, learned Presenting Officer states that the claim of the Applicants have been approved by the office of the Accountant General, Maharashtra and accordingly bill will be submitted to Satara Treasury office by tomorrow.</p> <p>Matter be kept on 24.3.2017.</p> <p style="text-align: right;">Sd/- (<u>Rajiv Agarwal</u>) Vice-Chairman</p> <p>Akn</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
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**17.03.2017**

**O.A No 1128/2016**

Shri S.B Mahadik ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri R.M Kolge learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.

Matter is De part-heard and should be placed before appropriate Single Bench.

DATE: 17/3/17

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri M. Rajiv Agarwal (Member) A

APPEARANCE:

Shri R.M. Kolge

Advocate for the Applicant

Shri S. Suryavanshi

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

Matter is de part heard & should be placed before appropriate single bench.  
BTE

Akn

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

**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
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**17.03.2017**

**M.A 119/2017in O.A No 241/2017**

Shri S.T Boraté & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri S.S Dere, learned advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.

Learned Advocate Shri Dere stated that all the four persons are facing a joint Departmental Enquiry in the same set of facts and circumstances. The M.A to sue jointly is allowed, subject to payment of Court fees, if not already paid.

DATE: 17/3/17

**CORAM:**

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

**APPEARANCE:**

Shri/Smt. S.S. Dere

Advocate for the Applicant

Shri/Smt. A.J. Chougule  
C.P.O./P.O. for the Respondent/s

Adj. To M.A is allowed.

*NOTE*

Akn

Sd/-  
(Rajiv Aggarwal)  
Vice-Chairman



**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: <u>17/3/17</u></p> <p>BY: <u>Rajiv Agarwal</u></p> <p>Hon'ble Justice Shri H. Joshi (Chairman) <u>2/10</u></p> <p>Hon'ble Shri M. Rameshkumar (Member) <u>A</u></p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>B. A. Bandiwadkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>H. G. Gohad</u></p> <p>C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>31/3/2017</u></p> <p><i>PTO</i></p>	<p><b>17.03.2017</b></p> <p><b>C.A 18/2017in O.A No 165/2016</b></p> <p>Smt R.S Patil ... Applicant</p> <p>Vs.</p> <p>The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri B.A Bandiwadkar, learned advocate for the Applicants and Ms Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 31.3.2017.</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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. S.O 31.3.2017.</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Akn</p> <p><i>PTO</i></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><b>DATE:</b> <u>17/3/17</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A <i>Rajiv Agarwal</i></p> <p><b>APPEARANCE:</b> Shri/Smt: <u>B.A. Bandiwadkar</u> Advocate for the Applicant Shri/Smt: <u>J.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>17/4/17</u> <i>B.K.</i></p>	<p align="center"><b>17.03.2017</b></p> <p align="center"><b>O.A No 229/2016</b></p> <p>Smt S.A Upadhye ... Applicant Vs. The State of Maharashtra &amp; Ors... Respondents</p> <p>1. Heard Shri B.A Bandiwadkar, learned advocate for the Applicants and Shri N.K. Rajpurohit, learned Chief Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission made returnable on 17.4.2017.</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 Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. S.O 17.4.23017.</p> <p align="right">Sd/- (Rajiv Agarwal) Vice-Chairman</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 <b>17.03.2017</b>
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**O.A No 1188/2016**

Shri V.R Tak ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

Heard Shri K.R Jagdale, learned advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.

Issue fresh notice to the Respondents returnable on 17.4.2017.

Sd/-  
(Rajiv Agarwal)  
Vice-Chairman

Akn

DATE: 17/3/17

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri M. Ramchikumar (Member) A  
*Rajiv Agarwal*

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj. To: Issue fresh notice to the Respondents returnable on 17/4/17.

*RPT*