

**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 : 18.02.2019.</p> <p>O. A. No.10 of 2019</p> <p>V.G. ChandorkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Shri A. D. Sugdare, learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.2. In the present matter, the challenge is to the impugned suspension order dated 18.12.2018 whereby the Applicant has kept under suspension for alleged misconduct in 2017 as he behaved in irresponsible manner in the matter of mutation entries. He is due to retire on 31.03.2019.3. The learned Advocate for the Applicant sought to challenge the impugned suspension order contending that the department was not justify in placing the Applicant under suspension at the verge of his retirement. He, further sought to contend that the alleged mis-conduct was not of that much gravity so as to warrant the suspension. According to him, the Applicant has been suspended without sufficient reasons.4. The present O.A. is at the stage of admission. The respondents have not filed reply in the present matter. However, in my opinion filing of detailed reply is not necessary as the matter can be disposed of on the oral submission.

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

Tribunal's orders

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5. Learned P.O. for the Respondents submitted that the charge sheet and D.E. has been issued on 07.01.2019 and the Applicant submitted his reply on 12.02.2019. She further submitted on instruction from Shri Sunil Raut, Superintendent of Land Record attach Deputy Director of Land Records Pune that the D.E. will be completed within four months.

6. At the very outset, it may be stated that the Applicant has rushed to the Tribunal without availing alternate remedy of filing appeal against the suspension order as he is due for retirement in March, 2019. He rushed to the Tribunal without availing alternate remedies.

7. As the Applicant is retiring in March, 2019 and is kept under suspension, the D.E. initiated against him needs to be decided expeditiously. Therefore, this O.A. can be disposed of by giving suitable directions.

8. Needless to mention that the sufficiency of material before the Competent authority for passing suspension order cannot be looked into by the Tribunal unless the applicant exhausts other alternative remedy available to him. I, therefore, prefer not to make any comment about the sufficiency of the material for placing the Applicant under suspension.

9. In view of above, the present O.A. is disposed of with direction to the Respondent No.2 (Disciplinary Authority) to conclude the D.E. initiated against the Applicant including passing of the final order in accordance to rules within three months from today. The decision, as the case may be, be informed to the applicant within one week thereafter. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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 data-bbox="781 628 1015 661">Date : 18.02.2019.</p> <p data-bbox="1013 690 1263 723">O. A. No.57 of 2019</p> <p data-bbox="786 752 943 785">A. N. Khude</p> <p data-bbox="1317 752 1474 785">....Applicant</p> <p data-bbox="781 827 870 860">Versus</p> <p data-bbox="781 902 1404 935">The State of Maharashtra & Ors. ...Respondents.</p> <p data-bbox="781 977 1490 1130">1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="781 1150 1490 1302">2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p data-bbox="781 1322 1289 1355">3. The matter is adjourned for hearing.</p> <p data-bbox="781 1375 1062 1409">4. S.O. to 26.02.2019.</p> <p data-bbox="1273 1464 1333 1497">Sd/-</p> <p data-bbox="1198 1539 1393 1621">(A.P. Kurhekar) Member(J)</p> <p data-bbox="743 1628 789 1654">vsm</p>

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date : 18.02.2019.

O. A. No.45 of 2019

M. A. Sawant

....Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. It transpired that except gratuity and regular pension all other retiral benefits have been released. The Applicant was suspended in 2016 and stands retired on 31.08.2016 during the period of suspension itself. However, final pension and gratuity is withheld due to proposed D.E.

3. Admittedly, till this date, the charge sheet in D.E. is not issued. The Respondents needs to consider whether D.E. against the Applicant is now permissible as contemplated under Rule 27 of Maharashtra Civil Services (Pension) Rules. The Respondents need to make their stand clear, so as to decide the matter on merit by passing appropriate judicial order.

4. Two weeks time is granted to file reply as a most last chance.

5. S.O. to 05.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

Date : 18.02.2019.

O. A. No.530 of 2018

S. C. CharateApplicant
Versus
The State of Maharashtra & Drs. ...Respondents.

1. Heard Shri Abhijeet Pawar holding for Shri D. B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Issue notice to newly added Respondent Nos.3 and 4 before admission returnable on 18.03.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 18.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 18.02.2019.</p> <p>M. A. No.57 of 2019 in O. A. No.530 of 2018</p> <p>S. C. CharateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Abhijeet Pawar holding for Shri D. B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K. , learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed reply on behalf of the Respondent Nos.1 & 2. It is taken on record.</p> <p>3. M.A. No.57 of 2019 is filed by the Applicant for addition of new parties as the Respondent No.3 and 4 as they seem to be necessary parties.</p> <p>4. Necessary amendment be carried out.</p> <p>5. Misc. Application is allowed for the reasons stated therein.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.142 OF 2019

D.D. Shivthare

)Applicant

Versus

The State of Maharashtra & Ors.

)Respondents

Shri A. V. Bandiwadekar, Advocate for Applicant

Shri A. J. Chougule, Presenting Officer for the Respondents

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

DATE : 18.02.2019

ORDER

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. In the present O.A., the challenge is to the transfer order dated 13.02.2019 whereby the Applicant has been transferred from the post of SDPO Lonawala, Pune (Rural) to S.D.P.O., Jawhar, Palghar District.

3. The learned Advocate for the Applicant has pressed for interim relief by pointing out the following facts:-

(A) The Applicant is due to retire on 31.05.2019 and, therefore, in term of the policy of the Government itself, he should not have been transferred.

(B) The Applicant has not completed the normal tenure of two years at the present posting and, therefore, the transfer should have been in compliance of Section 22(N) of the Maharashtra Police Act.

(C) There is no proper notification / official Gazette about the establishment of Police Establishment Board as required u/s 22(c) (1) of the Maharashtra Police Act.

hcd/...

- (D) The Applicant being retiring at the end of May, 2019, the directives of Election Commission of India are not applicable being expressly exempted by the Election Commission of India in its letter dated 16.01.2019.
- (E) The Applicant has made representation on 14.02.2019 to reconsider his transfer but no decision has been taken.

4. Shri A. J. Chougule, the learned P.O. for the Respondents submitted that the present transfer order has been passed on the administrative ground and, therefore, it cannot be challenged. Learned P.O. has produced the original file for the perusal of the Tribunal which shows that against the name of the Applicant who is at Sr. No.45 only the reason mentioned as 'On Administrative Ground'. It seems to have been approved by the Police Establishment Board and also approved by the Hon'ble Chief Minister being the highest Competent Authority. However, the fact remains except the mention of 'On Administrative Ground'. There is absolutely nothing what constitutes the administrative ground in the present case.

5. Whereas the Respondent No.2 who is present in person stated that he has taken charge of the post of S.D.P.O., Lonawala on 16.02.2019. The Respondent, therefore, submitted that he wants to engage the lawyer and time be granted to file his say.

6. Having heard the learned Advocate and on perusal of the record, it is quite clear that the Applicant has not completed his normal tenure of two years and, therefore, there has to be the strict compliance of section 22(N) of Maharashtra Police Act. As per section 22(N) (2) in public interest and on administrative exigency, the Competent Authority can make mid-tenure transfer of any police personnel. However, in the present case except mentioning the word 'On Administrative Ground',

there is absolutely nothing to indicate as to what prompted the Authority to transfer the Applicant.

7. Needles to mention that mere use of word 'On Administrative Ground' is not enough and some reasons though not elaborate needs to be spelt out from the file. However, no such reasons are forthcoming. This being the position. There is no proper compliance of section 22(N) and 22N(2) of the Maharashtra Police Act.

8. No material about the publication of Police Establishment Board in official Gazette is forthcoming which also goes to the root of the matter.

9. Though there is a reference of letter of Election Commissioner of India in the Minutes recorded by the Police Establishment Board, perusal of directives issued by the Election Commission of India dated 16.01.2019 itself made it clear that the said directives may not be applicable to the official who is due to retire within six months. This being the position, The instructions given by the Election Commission of India cannot be the basis for the impugned transfer.

10. I am, therefore, satisfied that prima-facie the impugned order is not in compliance of provision contained in the Maharashtra Police Act. As regards the submission of the Respondent No.2, the learned Advocate for the Applicant submitted that the Applicant is still functioning on the said post and has not been relieved by the department. Though, the Respondent No.2 has tendered a letter dated 16.02.2019 issued by S.P. Rural stating that the Respondent No.2 has joined on 16.02.2019, it seems to be without issuance of proper relieving order. Therefore, alleged joining of the Respondent No.2 could not come into way of granting interim relief in view of prima-facie case of breach of provision of Maharashtra Police Act. Consequently, the Applicant is entitled for interim relief as prayed in clause 10(a) in the application.

11. I must make it clear that though the Respondent No.2 claims to have joined the post of S.D.P.O. Lonawala, this is a fit case to give directions to repost the Applicant in his original place of posting even if he relieved from his post.

12. Hamdast and steno copy is allowed.

13. S.O. to 07.03.2019.

Sd/-

^{ww}
(A.P. KURHEKAR)
MEMBER (J)

**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 : 18.02.2019.</p> <p align="center">D. A. No.140 of 2019</p> <p>R. M. JaragApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This O.A. has been filed seeking stay to the implementation of the order dated 09.01.2019 issued by the Respondent No.2 whereby the Applicant has been reverted from the post of Police Inspector to the post of Assistant Police Inspector for a period till his retirement on 31.05.2019 or till the statutory appeal filed by the Applicant before the Appellate Authority is finally decided.</p> <p>3. Needles to mention that there being a remedy for filing statutory appeal, it is for the concerned Appellate Authority to consider the application for grant of stay filed along with the appeal as well as to decide the appeal as expeditiously as possible. The Appellate Authority is also empowered to grant stay to the impugned order exercising the powers as the Appellate Authority.</p> <p>4. However, the learned Advocate for the Applicant submitted that there is no such practice followed by the Appellate Authority to hear the matter on stay application and, therefore, the Applicant has approached this Tribunal particularly in view of the fact of his ensuing retirement at the end of May, 2019. She has also pointed out that though the D.E. has been initiated in 2010, the punishment order has been issued in 2019 i.e. after the period of nine years.</p> <p>5. On the other hand, the learned C.P.O. submitted that she will take instructions from the Appellate Authority to know within how much period the appeal itself can be decided. She requested for two days time for the same.</p>

Office Notes, Office Memoranda of Coram,
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6. As in the present case, the Applicant has already filed the statutory appeal, the concerned Appellate Authority is under obligation to consider the application for grant of stay and only because there is no such practice that cannot be the ground to abdicate the statutory obligation.
7. In view of above, two days' time is granted to the learned C.P.O. to take instructions and to inform the Tribunal so that the Tribunal can pass the appropriate order.
8. Issue notice before admission returnable on 22.02.2019.
9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
10. 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.
11. 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.
12. 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.
13. S.O. to 22.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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

Tribunal's orders

Date : 18.02.2019.

O. A. No.530 of 2018

S. C. CharateApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri Abhijeet Pawar holding for Shri D. B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Issue notice to newly added Respondent Nos.3 and 4 before admission returnable on 18.03.2019.

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

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

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

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

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 18.03.2019.

Sd/-

(A.P. Kurhekar)
Member(I)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="800 409 1000 437">Date : 18.02.2019.</p> <p data-bbox="1003 462 1230 491">O. A. No.129 of 2019</p> <p data-bbox="800 515 1333 544">Y. M. KambleApplicant</p> <p data-bbox="800 581 878 610">Versus</p> <p data-bbox="800 648 1357 676">The State of Maharashtra & Ors. ...Respondents.</p> <ol data-bbox="800 714 1430 1948" style="list-style-type: none"><li data-bbox="800 714 1430 809">1. Heard Shri Dhone M. L. holding for Shri R. M. Kolge, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.<li data-bbox="800 847 1430 909">2. Issue notice before admission returnable on 18.03.2019.<li data-bbox="800 946 1430 1041">3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.<li data-bbox="800 1079 1430 1285">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.<li data-bbox="800 1322 1430 1462">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.<li data-bbox="800 1499 1430 1683">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.<li data-bbox="800 1720 1430 1882">7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.<li data-bbox="800 1920 1065 1948">8. S.O. to 18.03.2019. <p data-bbox="1174 1986 1235 2015" style="text-align: right;">Sd/-</p> <p data-bbox="1101 2063 1268 2119" style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p data-bbox="760 2125 797 2154">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.

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Date : 18.02.2019.

O.A.No.907 of 2018 with O.A.No.353 of 2018

S.N. Vaselar & Ors. (O.A.907/2018)

S.S. Dhumal & Ors. (O.A.353/2018)Applicants.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.B. Kadam, the learned Advocate for the Applicant in O.A.No.907/2018 and Shri S.S. Dere, the learned Advocate for the Applicant in O.A.No.353/2018 and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.

2. Learned Advocate Shri M.B. Kadam for the Applicant states that he has received vakalatnama for applicant and undertakes to file it during course of the day.

3. Learned Advocate Shri M.B. Kadam for the Applicant further requested for passing order on merits.

4. Place the Original Applications before Division Bench for hearing on merits on 25.02.2019.

Sd/-

(A.H. Joshi J.)
Chairman

prk

DATE: 18/2/2019

CORAM:

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

Hon'ble Shri M. Ramesh Kumar (Member)

APPEARANCE:

Shri/Smt. M.B. Kadam

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Ad. Ta. 25/2/2019

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Date : 18.02.2019.

O.A.No.1048 of 2015 with O.A.No.1049 of 2015

S.C. Gadade (O.A.No.1048/2015)
 S.S. Pardule (O.A.No.1049/2015)Applicants.
 Versus
 The State of Maharashtra & Ors.Respondents.

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

2. Upon hearing both the sides, it prima facie appears that present Original Applications show no cause of action as no employee junior to the present applicant was promoted vide impugned promotion order dated 10.07.2014 (Exhibit B, page 21).

3. Learned Advocate Shri A.V. Bandiwadekar for the Applicants however submits that starting point would be the decision taken in the Departmental Promotion Committee meeting and he would also find as to whether any promotion order later on is passed by the concerned Respondents.

4. In this circumstances, at the request of learned Advocate Shri A.V. Bandiwadekar adjourned to 02.04.2019 for taking instructions on the above line and for further hearing.

DATE: 18/2/2019

CORAM: Shri M.T. Joshi (Clerk)
 Hon'ble Justice Shri H. N. Joshi (Chairman)
 Hon'ble Shri M. P. Dixit (Member) A

APPEARANCES

Shri/Smt: A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt: A.J. Chougule

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

Adj. To: 02/04/2019

prk

Sd/-

(P.N. Dixit)
Member(A)

Sd/-

(M.T. Joshi, J.)
Vice-Chairman

(G.C.P.) J 2200(B) (50,000-2-2015)

(Spl.- MAT-F-2.E)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 18.02.2019.

O.A.No.298 of 2018

V.C. Murudkar (Maku)Applicant.
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.
2. S.O. to 28.02.2019. Liberty to file affidavit-in-reply on behalf of Respondents No.2 and 5 hereby is granted.

DATE: 18/2/2019

CORAM: Shri M. T. Joshi (C J/c)
Hon'ble Justice Shri A. N. Joshi (Chairman)
Hon'ble Shri M. P. Dixit (Member) A

APPEARANCE:

Shri/Smt: A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt: S.P. Manchekar

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

Adt. To: 28/2/2019

Sd/-

(P.N. Dixit)
Member(A)

prk

Sd/-

(M.T. Joshi, J.)
Vice-Chairman

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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<p>DATE: 18/2/2019</p> <p>CORAM: Shri M. T. Joshi (V/C) Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p>APPEARANCE: Shri/Smt. A.V. Bandiwadker Advocate for the Applicant Shri/Smt. Archana B.K. C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. 18/2/2019</p> <p style="text-align: right;">J.T.</p>	<p>Date: 18.02.2019.</p> <p>O.A.No.673 of 2018</p> <p>V.K. Kothmire & Ors.Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicants and Smt. Archana B.K., the learned Presenting Officer for Respondents.</p> <p>2. Learned P.O. Smt. Archana B.K. for the Respondents submit that she would take instructions from Respondent No.3 as to whether its reply is necessary and accordingly if it is found that the affidavit-in-reply is necessary the same would be filed on the next date.</p> <p>3. S.O. to 18.03.2019.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (M.T. Joshi, J.) Vice-Chairman</p> <p>prk</p>

(C.C.P.) d 2200(B) 150,000-2-2015)

(Spl. MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 18/2/2019</p> <p>CORAM: Shri M.T. Joshi (C/M)</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri M. P. Dixit (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. : None for the appl.</p> <p>Advocate for the Applicant</p> <p>Shri/Smt. : H. G. Gohad</p> <p>C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 21/2/2019</p> <p><i>B.K.</i></p>	<p>Date : 18.02.2019.</p> <p>O.A.No.921 of 2018</p> <p>R.M. JadhavApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. N.G. Gohad, the learned Presenting Officer for Respondents. None for the Applicant.</p> <p>2. Learned P.O. Ms. N.G. Gohad for the Respondents files on record true copy of the order delivered by the Hon'ble High Court in Writ Petition No.13739 of 2018 dated 04.12.2018. The same is accepted and marked as 'X' for the purpose of identification.</p> <p>3. The order would show that though the interim direction of the present Tribunal is stayed it is observed that the O.A. can be continued for hearing.</p> <p>4. In view of absence of learned Advocate for the Applicant adjourned to 21.02.2019.</p> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (M.T. Joshi, J.) 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
Date : 18.02.2019.

O.A.No.144 of 2019

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

1. Heard Shri S.S. Dere, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.

2. Issue notice before admission returnable on 21.02.2019.

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

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

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

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

5. 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.

6. S.O. to 21.02.2019. Hamdast

Sd/-

(P.N. Dixit)
Member(A)

Sd/-

(M.T. Joshi, J.)
Vice-Chairman

prk

DATE: 18/2/2019

CORAM: Shri M.T. Joshi (V/C)
Hon'ble Justice Shri A.H. Joshi (Chairman)
Hon'ble Shri P.N. Dixit (Member) A

APPEARANCE:

Shri S.S. Dere

Advocate for the Applicant

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

Adj. To: Issue notice before
admission returnable on
21/2/2019.

prk

**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 : 18.02.2019.
	<p style="text-align: center;">O. A. No.132 of 2019</p> <p>S. S. ZoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. A. A. Borhade , learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter, the Tribunal has passed the interim order on 13.02.2019.</p> <p>3. Today, the matter is taken on board by way of circulation on the request of learned C.P.O. to prepone the date.</p> <p>4. Learned C.P.O. for the Respondents requested to keep the matter on 21.02.2019 for filing reply and hearing.</p> <p>5. The matter be preponed for filing reply and hearing on 21.02.2019.</p> <p>6. S.O. to 21.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: center;">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 : 18.02.2019.</p> <p>O. A. No.1021 of 2018 with O. A. No.1022 of 2018</p> <p>P. R. Karande & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer holding for Smt. Kranti Gaikwad and Shri S. D. Dole, learned Presenting Officers for the Respondents.</p> <p>2. Learned P.O. for the Respondents has filed reply on behalf of the Respondent No.1 and the same is adopted on behalf of the Respondent No.2 also. It is taken on record.</p> <p>3. Interim relief granted by this Tribunal is continued till next date.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 11.03.2019.</p> <p>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
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Date : 18.02.2019.

O. A. No.894 of 2018

A. R. KhedekarApplicant

Versus

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

1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Ms N. G. Gohad holding for Shri A. J. Chougule , learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents has filed reply on behalf of the Respondent No.5. It is taken on record.

3. In so far as, the Reply of Respondent Nos.1 to 4 are concerned, no reply is filed though enough time is granted.

4. The matter is adjourned for hearing at the stage of admission.

5. S.O. to 06.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 : 18.02.2019.</p> <p>M. A. No.546 of 2018 in O. A. No.796 of 2018</p> <p>S. V. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Sangita Dongare holding for Shri D. S. Pagare, learned Advocate for the Applicant and Ms S. Suryanwashi, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent No.1 in M.A. It is taken on record.</p> <p>3. The matter is adjourned for hearing.</p> <p>4. S.O. to 11.03.2019.</p> <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
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Date : 18.02.2019.

M. A. No.599 of 2018 in O. A. No.1012 of 2018

D. L. WairkarApplicant

Versus

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

1. The Applicant and his Advocate are absent. Heard Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. This matter is kept under the caption "Objection Matters" as the applicant has failed to remove the objections within time granted by the office.

3. The matter is of 2018 and the objections ought to have been removed much earlier. However, two weeks time is granted for compliance of office objections. If the objections are removed then the matter be kept under the caption "Admission" before the Tribunal on 11.03.2019.

4. If the objections are not removed within two weeks from today, the O.A. stands dismissed in default without making reference to the court.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 : 18.02.2019.</p> <p align="center">O. A. No.334 of 2017</p> <p>G. N. Pherkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The matter is on board for removal of objections. In regard to the nature of the objections of black shading papers, the objections are waived as the documents are quite legible. 3. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent No.2. and the same is adopted on behalf of the Respondent No.1 also. It is taken on record. 4. The matter is adjourned for hearing at the stage of admission. 5. S.O. to 15.03.2019. <p 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 : 18.02.2019.</p> <p>O. A. No.59 of 2018</p> <p>P. B. GuravApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply on behalf of Respondent Nos.1 and 2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 22.02.2019.</p> <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 : 18.02.2019.</p> <p>O. A. No.16 of 2019</p> <p>S. G. ParabApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.2, 3 and 4. It is taken on record. No reply is filed on behalf of the Respondent No.1.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 11.03.2019.</p> <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 Date : 18.02.2019.
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O. A. No.1050 of 2018

S. D. LadiApplicant

Versus

The State of Maharashtra & Ors. ...Respondent.

1. The Applicant and his Advocate are absent. Heard Smt. Archana B. K., learned Presenting Officer for the Respondent.

2. Today, the learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 11.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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> 18/2/2019</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.N. Dixit (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt.: Kaustubh Gidh holding Advocate for the Applicant (sgj) Shri/Smt.: Miss Neelima Gohad H.C.P.O / P.O for the Respondent/s</p> <p>Adj. To: 21/2/2019 for filing reply at the request of Ld. pd.</p>	<p><u>O.A. No.888 of 2018</u></p> <p>A.S. Shirsath & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kaustubh Gidh, learned Advocate holding for Ms. Kranti L.C., learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO, adjourned to 21.2.2019 for filing reply.</p> <p>Sd/- (P.N. Dixit) Member (A) 18.2.2019</p>

Handwritten initials/signature

**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
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O.A. No.1060 of 2018

B.S. Bade & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Miss Neelima Gohad, learned Presenting Officer for the Respondents.

2. At the request of Ld. PO, adjourned to 5.3.2019 for filing reply by way of last chance.

Sd/-

(P.N. Dixit)
Member (A)
18.2.2019

(sgl)

DATE: 18/2/2019

CORAM:

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

Hon'ble Shri M. Kamesh Kumar (Member) A

APPEARANCE:

Shri/Smt. : V.P. Potbhare

Advocate for the Applicant

Shri/Smt. : Miss N.S. Gohad

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

Adj. To: 5/3/2019 at the request of Ld. PO for filing reply by way of last chance.

MPJ

**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>18/2/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramakrishnaiah (Member) A</p> <p>APPEARANCE: Shri Smt. _____ Applicant and Advocate for the applicant absent. Advocate for the Applicant Shri Smt. Miss Neelima Gohad Ld. C.E.O / P.O. for the respondents</p> <p>Adj. To: <u>18/2/2019 at the request of Ld. P.O.</u></p> <p style="text-align: right;"><i>PN</i></p>	<p style="text-align: center;"><u>O.A. No.34 of 2019</u></p> <p>N.G. Avhad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant absent. Heard Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO, adjourned to 5.3.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 18.2.2019</p> <p>(sgl)</p>