

**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

Date : 18.02.2020

Tribunal's orders
O.A.No.141 of 2020

Dr. A. E. Gawall
Versus

....Applicant

The State of Maharashtra & Drs.

...Respondents.

1. Heard Dr.Gunratan Sadavarte, learned Counsel for the Applicant and Smt.Kanti Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the transfer order dated 07.02.2020 whereby he is transferred from the post of Civil Surgeon, General Hospital, Alibaug, Raigad to the post of Assistant Director Health Services, Akola on vacant post.
3. Learned Counsel for the Applicant seeks interim stay to the transfer order contending that Applicant is already under extension from 60 to 62 which is permissible only for medical officers doing clinical work but by impugned transfer order, the Applicant is transferred on administrative post, and therefore, impugned order is unsustainable.
4. Per contra, learned P.D. submits that after issuance of G.R. dated 01.07.2019 which inter-alia provides for extension from 60-62 to medical officers doing clinical work, the Government again issued corrigendum on 26.11.2019 making it clear that the benefit of extension of age will not be applicable to Director, Additional Director, Joint Director and Deputy Director. She, therefore, submits that the apprehension of the Applicant who is posted on the post of Assistant Director is baseless.
5. Thus, what transpires that Applicant is transferred on the post of Assistant Director, Health Services, Akola to which benefit of extension from 60-62 is available in terms of corrigendum dated 25.01.2019 as the post of Assistant Director is not included in the category to whom extension is not permissible.

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Furthermore, learned P.O. submits that the Applicant will be entitled for extension of age up to 62 years in view of extension already granted to him and transfer order on the post of Assistant Director will not come in the way of his continuation of service up to 62 years.</p> <p>7. Perusal of file tendered by the learned P.O. prima-facie shows that for administrative reason, the Applicant's transfer was found necessary and accordingly it was vetted by the CSB and also approved by Hon'ble Chief Minister. As such, there is compliance of Section 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.</p> <p>8. The Applicant is already relieved from the post. In view of above, I am not inclined to grant interim relief.</p> <p>9. Issue notice before admission returnable on 18.03.2020.</p> <p>10. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>11. 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>12. 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>13. 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>14. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>15. S.D. to 18.03.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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 : 18.02.2020

M.A. No.108 of 2020 in O.A.No.149 of 2020

A. S. Sonawane & Ors.Applicants

Versus

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

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

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.

5. M.A.No.108/2020 is allowed.

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

Date : 18.02.2020

O.A.No.149 of 2020

A. S. Sonawane & Ors.Applicants

Versus

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

1. Heard Shri Bhushan A. Bandiwadkar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicants have challenged the impugned order dated 15.02.2020 whereby the Applicants were directed to vacate the service quarters within two days . Perusal of O.A. reveals that the father of Applicant namely Shri Sanjay Sonawane was in Police Department and died in harness on 04.04.2019. Thereafter his son, present Applicant No.1- Atish Sonawane applied for appointment on compassionate ground and by order dated 05.11.2019 he was appointed of the post of Police Constable on compassionate ground. Thereafter he made an application dated 17.02.2020 for continuation of quarter which is not yet decided. It is on the above background, eviction notice is issued which is under challenge in present O.A.

3. Learned Counsel for the Applicants has pointed out that by letter dated 17.10.2013, the Joint Commissioner of Police issued directions not to take coercive steps of dispossession where the heirs of the deceased employees are appointed in Police Department and they have applied for retention of quarter.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned Counsel for the Applicant has further pointed out that this Tribunal has granted interim relief in similar situation in other Original Applications which are sub-judice before this Tribunal.</p> <p>5. In view of above, interim relief is granted in terms of prayer clause 10(a) till next date.</p> <p>6. Issue notice before admission returnable on 26.02.2020.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. 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>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.</p> <p>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.</p> <p>11. 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.</p> <p>12. S.O. to 26.02.2020.</p> <p>13. Hamdast granted.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(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 : 18.02.2020

O.A.No.144 of 2020

J. B. VankotiApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The Applicant has challenged the impugned transfer order dated 11.11.2019 whereby he is transferred from the post of PI, L.C.B. Palghar to PI, Control Room, Palghar on the administrative ground invoking Section 22N(2) of the Maharashtra Police Act.

3. Learned Counsel for the Applicant seeks interim stay to the Impugned order contending that the Applicant is transferred mid-term and mid-tenure out of bias, nurtured by the Superintendent of Police, Palghar against the Applicant.

4. Learned Counsel for the Applicant sought to contend that though there is a reference of issuance of memo to the Applicant, no record is produced to substantiate that those memos were actually served upon the Applicant. To my mind, this aspect at this stage is not that much relevant in view of the detailed Minutes of PEB.

5. Learned P.O. has tendered the file for perusal of Tribunal which prima-facie discloses that Applicant was transferred on the ground of inefficiency. The instances attributing inefficiency are noted in Minutes of PEB dated 11.11.2019. Thus, prima-facie, the PEB is empowered to transfer the Applicant necessary in public interest as well as on administrative exigency and accordingly invoked the powers under Section 22N(2) of Maharashtra Police Act. ^[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. For the aforesaid reasons, I am not inclined to grant interim relief.</p> <p>7. Issue notice before admission returnable on 11.03.2020.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>12. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>13. S.O. to 11.03.2020.</p> <p style="text-align: right;">Sd/- ✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.02.2020</p> <p>O.A.No.27 of 2020</p> <p>T. S. ShirguppeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the impugned order dated 13.12.2019 issued by the Respondent No.2- Superintending Engineer, PWD, Kolhapur thereby sending the Applicant on compulsory leave.</p> <p>3. When the matter was taken up for admission that time itself having noticed that impugned order is ex-facie illegal, interim relief was granted in favour of the Applicant staying implementation of the order dated 13.12.2019. That time learned P.O. was directed to apprise the Tribunal as to under what Rule, the Government servant can be sent on compulsory leave.</p> <p>4. Today, learned P.O. has tendered the order dated 03.02.2020 issued by the Executive Engineer whereby the order dated 13.12.2019 is cancelled and Applicant was reinstated by order dated 22.01.2020.</p> <p>5. It is thus explicit that having realized the mistake in passing the impugned order which is de hors the law, the department has taken remedial measure and cancelled the impugned order.</p> <p>6. As such, nothing survives in the matter and O.A. deserves to be disposed of.</p> <p>7. Needless to mention that the Applicant will be entitled for salary from the date of impugned order till he was reinstated in service.</p> <p>8. No order as to cost.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.02.2020</p> <p>M.A. No.15 of 2020 in O.A.No.16 of 2020</p> <p>5. A. TalekarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for condonation of delay caused in filing O.A. challenging the impugned order dated 16.05.2020 whereby the claim of the Applicant for appointment on compassionate ground stands rejected.</p> <p>3. Initially, the Applicant had filed W.P.No.14128/2017 challenging the order dated 16.05.2016 before the Hon'ble High Court. W.P. was disposed of on 29.08.2019 giving permission to the petitioner with liberty to approach the M.A.T. The Hon'ble High Court further observed that the Applicant will also be entitled for the benefit for period of during which the petition was pending in this Court under Section 14 of the Limitation Act, 1963.</p> <p>4. On the above background, the Applicant has filed present O.A on 07.01.2020.</p> <p>5. Needless to mention that under Section 14 of the Limitation Act, 1963, the period spent by the litigant in good faith before another court can be excluded from the period of limitation. The Applicant has challenged the impugned order before the Hon'ble High Court by filing W.P. within a period of limitation on 02.09.2016 which was registered as W.P.No.14128/2017. However, when the matter was taken up by the Hon'ble High Court, the W.P. was withdrawn with liberty to approach the M.A.T. to redress the grievance. The Hon'ble High Court specifically observed that the petitioner is entitled for the benefit under Section 14 of the Limitation Act, 1963.</p> <p>6. In view of above, the delay of 2 ½ years which was spent in pursuing W.P. No.14128/2017 deserves to be condoned.</p> <p>7. Misc. Application No.15/2020 is, therefore, allowed with no order as to cost.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 18.02.2020</p> <p>O.A.No.16 of 2020</p> <p>S. A. TalekarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Today, the Tribunal has allowed M.A.No.15/2020 and condone the delay cause in filing O.A.</p> <p>3. In O.A., learned P.O. has filed reply on behalf of the Respondent No.2 and seeks time to file reply on behalf of Respondent No.1 and 3.</p> <p>4. Two weeks time is granted for filing reply.</p> <p>5. S.O. to 03.03.2020.</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 : 18.02.2020

O.A.No.737 of 2019

P.R. AcharekarApplicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.

2. In the present O.A., the Applicant has challenged the impugned transfer order dated 26.07.2019. However, no interim relief was granted. During the pendency of O.A., the Applicant stands retired on attaining the age of superannuation on January, 2020.

3. In view of above, learned Counsel for the Applicant fairly submits that Original Application be disposed of.

4. Thus, in view of retirement of the Applicant, Original Application has become infructuous and accordingly disposed of.

5. No order as to cost.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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>MA.97/2020 in MA.20/2020 in OA.490/2019</u></p> <p>D.S. Swami ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant as well as Advocate for the Applicant are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Dismissed for want of prosecution.</p> <p>Sd/- Sd/- (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 18.2.2020 18.2.2020</p> <p>(sgj)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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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MA.96/2020 in MA.19/2020 in OA.489/2019

R.V. Joshi ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Applicant as well as Advocate for the Applicant are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Dismissed for want of prosecution.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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>18.02.2020</u></p> <p>A.B Suryawanshi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply on behalf of Respondents.</p> <p>3. Learned advocate for the applicant seeks adjournment for filing his rejoinder.</p> <p>4. Adjourned to 26.3.2020.</p> <p>Sd/- (A.P. Kurhekar) Member (J) Akn</p>	<p><u>O.A 1071/2019</u></p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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MA. 5/2020 in RA.2/2020 in OA.434/2014.

The State of Maharashtra & Ors. ..Applicants
Vs.
M.C. Gosavi ..Respondent

Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants-original respondents and Shri A.D. Joshi, learned Advocate for the Respondent-original Applicant.

2. Issue notice in MA returnable on 31.3.2020.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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 and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(sgj)

Sd/- 3

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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RA.2/2020 in OA.434/2014

The State of Maharashtra & Ors. ..Applicants
 Vs.
 M.C. Gosavi ..Respondent

Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants-original respondents and Shri A.D. Joshi, learned Advocate for the Respondent-original Applicant.

2. Issue notice in RA returnable on 31.3.2020.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of R.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 and if service report on affidavit is not filed three days before returnable date, RA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.P. Kurhekar)
 Member (J)
 18.2.2020

(sgj)

Sd/-

(P.N. Dixit)
 Vice-Chairman (A)
 18.2.2020

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
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CA.10/2020 in OA.434/2014

M.C. Gosavi ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.D. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks permission to issue contempt notice on the contemnor.

3. At his request adjourned to 31.3.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sg)

(G.C.P.) J 2959(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**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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M.A. No.662 of 2019 in O.A. No.1084 of 2019 with
M.A. No.612 of 2019 in O.A. No.1084 of 2019

K.D. Sajunkhe & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Ms. Madhuri Samant, learned Advocate holding for Sri Sushant Walimbe, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants seeks time to enable to serve private respondents.

3. S.O. to 5.3.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

**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 style="text-align: center;"><u>C.A. No.3 of 2020 in O.A. No.707 of 2018</u></p> <p>R.C. Pillay ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V. Chandrashekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that the applicant has been promoted. However, she has not enclosed copy of the order and seeks time.</p> <p>3. At her request S.O. to 20.2.2020.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member (J) 18.2.2020</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman (A) 18.2.2020</p> </div> </div>

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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><u>18.02.2020</u></p> <p style="text-align: center;"><u>O.A 81/2020</u></p> <p>Y.M Pimple ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks three weeks' time for filing reply. No further adjournment will be granted for filing reply.</p> <p>3. The issue of interim relief is kept ^{open} and would be heard on next date.</p> <p>4. S.O to 3.3.2020.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kulkarni) Member (J)</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.15 OF 2020**

Dr. Baban Tukaram Karavekar ..Applicant

Versus

The State of Maharashtra ..Respondent

Shri A.V. Bandiwadaekar – Advocate for the Applicant

Shri A.J. Chougule – Presenting Officer for the Respondent

CORAM : Shri P.N. Dixit, Vice-Chairman (A)

Shri A.P. Kurhekar, Member (J)

DATE : 18th February, 2020

PER : Shri A.P. Kurhekar, Member (J)

ORDER

1. Heard Shri A.V. Bandiwadaekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondent.
2. The present OA is filed to quash and set aside the charge sheet dated 21.5.2010 issued against the applicant.
3. While applicant was serving as Medical Officer at Ratnagiri he was suspended by order dated 21.5.2010. The applicant has challenged the suspension order by filing OA No.628 of 2010 which came to be decided by this Tribunal on 22.11.2010 by passing following order:



"5. Having regard to the aforesaid facts and circumstances, the respondent is directed to complete the entire disciplinary enquiry within a period of two months from today. The respondent-government shall take a decision on the enquiry report within a period of one month thereafter. It is made clear that if at either of the stages that the disciplinary enquiry is not completed within a period of two months or the decision is not taken by the respondent-government within a period of one month thereafter, the aforesaid suspension order dated 21.5.2010 shall stand revoked without any further reference to this Tribunal and the applicant to be given appropriate posting. With these directions, O.A. stands disposed off accordingly."

(Quoted from page 71 of OA)

4. As such in terms of order passed by this Tribunal the DE was required to be completed by passing final order within three months. However, respondents failed to comply order of the Tribunal, rather totally ignored the directions given by the Tribunal and no steps were taken to expedite the DE and complete the same.

5. The applicant stood retired on 31.5.2018 but his retirement benefits were withheld due to pendency of DE. It is pertinent to note that even after retirement the respondents did not bother to expedite the DE and deprived the applicant from his retirement benefits. Ultimately the applicant was constrained to file OA No.1062 of 2019 for retirement benefits. It is after filing OA No.1062 of 2019 this Tribunal has passed successive orders highlighting utter disregard of the respondents to the orders passed by this Tribunal. Thereafter only some steps appear to have been taken to complete the DE.

6. Ld. Advocate for the applicant on the basis of above grounds submits that very purpose of OA will be frustrated, if again some latitude

Wahab

is given to the respondents to complete the DE. He therefore seeks interim relief to stay the DE.

7. Per contra, Ld. PO submits that recently the department has processed the report of the enquiry officer and punishment is proposed and the department will issue show cause notice to the applicant for calling his explanation against proposed punishment. He further requests for grant of time to file reply and opposed grant of interim relief.

8. What transpires from the record is that despite specific directions given by this Tribunal in OA No.628 of 2010 by judgment dated 22.11.2010 to complete the DE within three months, it continued for nine years and still no final order is passed. This exhibits utter disregard to the orders of the Tribunal, nay, sheer negligence and have committed contempt of orders of this Tribunal which needs to be looked into seriously. We can understand some reasonable delay due to administrative procedural difficulties. The delay of 9 years in completing the DE despite specific directions by the Tribunal is completely unacceptable. It is obvious that respondents have taken up the matter very casually in utter disregard to the orders passed by this Tribunal and have tendency to undermine the majesty of law.

9. In view of the above, we have no other way but to grant interim relief in terms of prayer clause 10(a) of OA, which reads as follows:

"10(a) Pending the hearing and final disposal of this OA, this Hon'ble Tribunal may be pleased to stay the continuation of the pending departmental enquiry proceedings before the respondent in terms of charge sheet dated 21.5.2010."

(Quoted from page 16 of OA)



10. Interim relief is granted till next date. The respondents should file their reply on the next date so that OA can be taken up for hearing at stage of admission.

11. S.O. to 27.2.2020. Hamdast granted.

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

Sd/-

(P.N.J Dixit)
Vice-Chairman (A)
18.2.2020

Dictation taken by: S.G. Jawalkar.

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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>18.02.2020</u></p>	<p><u>O.A 740/2019</u></p> <p>Smt Rajashree S Jogi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files reply on behalf of Respondents no 1 & 2. Same is taken on record.</p> <p>3. At the request of learned advocate for the applicant, adjourned to 26.3.2020</p> <p>Sd/- (A.P. Karhakar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

Alm

(G.C.P.) J 2959(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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>18.02.2020</u></p>	<p><u>O.A 1210/2019</u></p> <p>Smt Amina K. Shaikh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Vaibhav Birmole i/b Shri D.V Sutar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O mentions that the reply has been filed.</p> <p>3. Learned advocates for the applicant seeks adjournment for two weeks.</p> <p>4. At his request adjourned to 11.3.2020.</p> <p>Sd/- (A.P. Kurhakar) Member (J)</p> <p>Akn</p>

Sd/-
(P.N Dixit)
Vice-Chairman (A)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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><u>18.02.2020</u></p> <p>Shri S.K Narale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O mentions that reply will be filed during the course of the day.</p> <p>3. Adjourned to 25.2.2020.</p> <p>Sd/- (A.P. Kurhakar) Member (J)</p> <p>Akn</p>	<p><u>O.A 1181/2019</u></p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

{Spl.- MAT-F-2 E.

**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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M.A. No.678 of 2019 in O.A. No.1209 of 2019

S.A. Patil ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Hear Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Id. PO seeks three weeks time to file reply.

3. S.O. to 5.3.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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>18.02.2020</u></p> <p>M.S Chougule ... Applicant vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admitted for final hearing.</p> <p>3. Learned advocate for the applicant request for early hearing.</p> <p>4. S.O to 26.3.2020.</p> <p>Sd/- v (A.P. Kurhedar) Member (J) Akn</p>	<p><u>O.A 1079/2019</u></p> <p>Sd/- (P.N Dicit) Vice-Chairman (A)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	<p><u>18.02.2020</u></p> <p>Shri A.E Kerure ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B Talekar, learned advocate for the applicant Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2, Ms Sunita Vishwakarma holding for Shri D.G Mishra, learned advocate for Respondent no. 3 and Shri M.D Lonkar, learned advocate for Respondent no. 4.</p> <p>2. Learned C.PO today mentions that the order issued on 11.2.2020 contains no directions within which the decision should be taken.</p> <p>3. In view of the submission made by the learned C.P.O stating that the suspension of the applicant has been revoked, we direct the Respondents that the applicant is reinstated and provided necessary posting within 15 days from today. The subsistence allowance for the suspension period should be paid to the applicant according to rules. The progress made should be communicated to this Tribunal on 11.3.2020.</p> <p>4. S.O to 11.3.2020. Hamdast granted.</p> <p>Sd/- (A.P. Kurhelkar) Member (J) Akn</p>	<p><u>O.A 960/2019</u></p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	<p><u>18.02.2020</u></p> <p><u>M.A. 1010/2020 in O.A 915/2019</u></p> <p>N.V Bhadvle & Others ... Applicant V. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Sri A.V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O. for the Respondents</p> <p>2. Learned C.P.O states that as per page 75 of the affidavit MPSC had sent report on 22.11.2019 to the Government. Learned C.P.O is directed to bring copy of the report for perusal of this Tribunal on the next date.</p> <p>3. S.O 27.2.2020.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Alm</p>	<p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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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M.A. No.94 of 2020 in O.A. No.131 of 2020

S.S. Tawde ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Kranti L.C., learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks permission to make changes in the MA for condoning the delay from the date of impugned order.

3. At his request adjourned to 31.3.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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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M.A. No.619 of 2019 in O.A. No.755 of 2012

D.S. Mujgondkar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Hear: Shri Rahul Khot, learned Advocate holding for Shri N.Y. Chavan, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2 and Shri B.A. Bandiwadkar, learned Advocate for Respondents No.3 & 4.

2. Ld. Advocate for the applicant produces receipt of payment towards cost.

3. MA is allowed and OA is restored to file

4. Place the above OA for final hearing on 29.4.2020.

Sd/-

Sd/-

(A.P.Kurhekar)
Member (J)
18.2.2020

(P.N.Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

(G.C.P.) J 2968(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
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M.A. No.99 of 2020 in O.A. No.10 of 2020

S.S. Patil ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks addresses of private persons from MPSC. In case he applies, the MPSC may provide the same.

3. MA is for making amendment to the prayer clause as well as pleadings and add private persons as parties.

4. S.O. to 12.3.2020.

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(sgj)

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(G.C.P.) J 2969(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	<p><u>18.02.2020</u></p> <p>Shri P.Y Sathurkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. At the request of learned P.O, adjourned to 25.2.2020.</p> <p>Sd/- (A.P. Kurhakar) Member (J)</p> <p>Alm</p>	<p><u>O.A 1081/2019</u></p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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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18.02.2020

C.A 63/2019 in O.A 1087/2014

Shri S.S Nalawade ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Arvind V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O mentions that the matter was mentioned before the Hon. High Court in 13.1.2020. Thereafter, there is no further order. The MPSC also has made no efforts in implementing the orders issued by this Tribunal on 13.6.2019.

3. The learned C.P.O is directed to produce developments subsequent to the order issued by the Hon. High Court on 13.1.2020 failing which contempt action will be taken against the contemnor. *Doc of*

4. At her request adjourned to 3.3.2020. Hamdast granted.

Sd/-

(A.P. Kurhakar)
Member (A)

Akn

Sd/-

(P.N Dixit)
Vice-Chairman (A)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	<p><u>18.02.2020</u></p> <p>S.W Malode ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant seeks one week for filing rejoinder.</p> <p>3. Adjourned to 25.2.2020.</p> <p>Sd/- (A.P. Kurhakar) Member (J)</p> <p>Akn</p>	<p><u>O.A 966/2019</u></p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

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.101 of 2020

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

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 30.4.2020.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are left 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 and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-

(A.P. Kurhekar)
 Member (J)
 18.2.2020

(sgj)

Sd/-

(P.N. Dixit)
 Vice-Chairman (A)
 18.2.2020

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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><u>18.02.2020</u></p> <p><u>O.A 991, 9393 and 807/2019</u></p> <p>B.N Bastewad & Others [O.A 991/19] G.S Sable [O.A 939/19] A.M Samindar [O.A 807/19] ... Applicants vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned advocate for the applicants tenders copy of the judgment in O.A 953/2 019 by Nagpur Bench of this Tribunal. Though the facts in the O.A are different, learned advocate for the applicants mentions that the ratio is the same.</p> <p>3. In respect of applicant in O.A 939/2019 and 807/2019 learned C.P.O is directed to make statement on the next date.</p> <p>4. Learned C.P.O is directed to find out whether the judgment delivered by Nagpur Bench of this Tribunal in O.A 953/2019 is accepted or not and inform this Tribunal</p> <p>5. The request made by the learned advocate for the applicants not to promote other Officer will be considered on 3rd March, 2020.</p> <p>6. S.O 3.3.2020.</p> <p>Sd/- (A.P. Kurhedar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Altn</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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>C.A. No.61 of 2019 in O.A. No.975 of 2018</u></p> <p>B.S. Lambhate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder and the same is taken on record.</p> <p>3. Ld. PO seeks one weeks time as compliance order is under process.</p> <p>4. S.O. to 3.3.2020.</p> <p>Sd/- Sd/- (A.P. Kurhekar) (P.N. Dixit) Member (J) Vice-Chairman (A) 18.2.2020 18.2.2020</p> <p>(sgj)</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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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18.02.2020

M.A 14/2020 in O.A 119/2019 with M.A 12/2020

Smt A.T Sakore ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B. Deshmukh, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 to 3 & 5 and Shri Arvind V Bandiwadekar, learned advocate for Respondent no. 4.

2. Learned C.P.O submits that the report from the Dist. Collector, Ahmednagar has been called for on 30.1.2020 followed by reminder on 11.2.2020.

3. We direct learned C.P.O to ensure that report from the Collector, Ahmednagar is obtained on priority and progress intimated to this Tribunal on 26.2.2020.

4. M.A 14/2020 will be considered for hearing on 26.2.2020.

5. S.O to 26.2.2020.

Sd/-

(A.P. Kurhekar)
Member (J)

Akn

Sd/-

(P.N.Dixit)
Vice-Chairman (A)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No.66 of 2019 in O.A. No.1062 of 2019

B.T. Karvekar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PD files reply and the same is taken on record.
3. S.O. to 20.2.2020 for final hearing.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

**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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M.A. No.367 of 2019 in O.A. No.677 of 2019

H.T. Shinde ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO produces copy of order dated 12.10.2015 (Exh.MR-1 in reply to MA) and provides copy to the Ld. Advocate for the applicant.

3. Ld. Advocate for the applicant seeks time to file rejoinder. Ld. PO is directed to ensure that original record is produced on the next date.

4. S.O. to 27.2.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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

C.A. No.47 of 2019 in O.A. No.30 of 2019

A.R. Nange ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. Ld. PO produces a copy of order dated 13.2.2020 giving appointment to the applicant. The same is taken on record and marked 'X' for identification.

3. In view of the above CA is disposed off accordingly.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

**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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C.A. No.3 of 2019 in O.A. No.705 of 2016

M.B. Sonawane ..Applicant.
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri S.K. Nair, learned Special Counsel with Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Special Counsel files reply on behalf of the respondents and the same is taken on record.
3. Ld. Advocate for the applicant seeks three weeks time.
4. S.O. to 1.4.2020.

Sd/-

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020

(sgj)

**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 : 18.02.2020

O.A.No.925 of 2019

G.G. Nagtilak

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougale, learned Presenting Officer for the Respondents.

2. Today, learned P.O. submits that there are vacancies at Police Training Centre, Soiapur and representation dated 24.04.2019 made by the Applicant will be considered within two weeks from today.

3. in view of above, learned Counsel for the Applicant submits that O.A. be disposed of.

4. For the aforesaid reason, Original Application is disposed of with no order as to cost.

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
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Date : 18.02.2020

R.A. No.22 of 2019 In O.A.No.1116 of 2016

U. S. SalunkeApplicant

Versus

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

1. The Applicant is absent in view of is leave note submitted on 10.02.2020. Heard Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today, learned P.O. has filed reply on behalf of the Respondent No.1 in R.A. It is taken on record.

3. Matter is adjourned for hearing at the stage of admission.

4. S.O. 04.03.2020.

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
	<p>Date : 18.02.2020</p> <p>M.A. No.102 of 2020 in R.A.No.04 of 2020 In O. A. No.697 of 2019 with R.A.No.04 of 2020 in O.A.697 of 2019</p> <p>The State of Maharashtra & Ors.Applicants</p> <p>Versus</p> <p>V. G. Suryawanshi ...Respondent</p> <ol style="list-style-type: none"> 1. Heard Shri A. J. Chougule, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri M. B. Kadam, learned Counsel or the Respondent (Ori. Applicant). 2. Issue notice before admission returnable on 18.03.2020. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 18.03.2020. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 18.02.2020

O.A.No.453 of 2018

P. S. Walke

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today, the matter is listed for 'Pronouncement of Order'. However, learned Counsel for the Applicant submits that he has instruction from the Applicant to withdraw the present O.A.

3. Learned C.P.O. has no objection for withdrawal of O.A..

4. In view of above, allowed to withdraw the O.A. and disposed of with no order as to cost.

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
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Date : 18.02.2020

O.A.No.1100 of 2019

R. M. Shirwadkar

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K. , learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed reply on behalf of the Respondent as well learned Counsel for the Applicant has also filed Reply. Both are taken on record.

3. Matter is adjourned for hearing at the stage of admission.

4. S.O. to 18.03.2020.

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
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Date : 18.02.2020

O.A.No.1107 of 2019

Y. V. Mane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed on behalf of the Respondent Nos.1 and 2. It is taken on record.

3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.

4. S.O. to 03.03.2020.

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

Date : 18.02.2020

O.A.No.07 of 2020

K. D. Masal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri. S. D. Dole, learned Presenting Officer for the Respondents.

2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent No.2. It is taken on record,

3. Matter is adjourned for hearing at the stage of admission.

4. S.O. to 05.03.2020.

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
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Date : 18.02.2020

O.A.No.701 of 2018

R. V. KothmiriApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Learned Counsel for the Applicant is absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri Shailesh Chavan, learned Counsel for the Respondent No.5. None for Respondent No.4.

2. Indeed, the Respondent No.5 though served with notice of O.A. in 2018 did not appear and the matter proceeded ahead recording his absence. Original Application was heard partly on last date.

3. Today Respondent No.5 appeared through Advocate Shri Chavan and seeks permission to file reply.

4. As learned Counsel for the Applicant is absent, matter is adjourned to 24.02.2020.

5. S.O. to 24.02.2020.

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>18.02.2020</u></p> <p>Shri N.L Bhangre ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard applicant in person and Smt K.S Gaikwad, learned P.O for the Respondents.2. Issue notice returnable on 8.4.2020.3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.7. In case notice is not collected within 7 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.8. S.O to 8.4.2020.	<p><u>O.A 1044/2019</u></p> <p>Sd/-</p> <p>(P.N Dixit) Vice-Chairman (A)</p>

(A.P. Kurhekar)
Member (J)

Akn

(P.N Dixit)
Vice-Chairman (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
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18.02.2020

O.A 1016/2019

Dr S.C Deshmukh & Others ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O submits that the copy calling for additional information would be tendered on 20th February, 2020.

3. S.O to 20.2.2020. Hamdast granted.

Sd/-

(A.P. Kurhekar)
Member (J)

Akn

Sd/-

(P.N Dixit)
Vice-Chairman (A)

**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>18.02.2020</u></p>	<p><u>O.A 769/2019</u></p> <p>Dr C.A Borase & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Kaustub Gidh, i/b Shri Kranti L.C, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned C.P.O adjourned to 20.2.2020 for filing reply.</p> <p>Sd/- (A.P. Kurhakar) Member (J)</p> <p>Akn</p>

Sd/- ?
(P.N Dixit)
Vice-Chairman (A)

**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

C.A. No.3 of 2019 in O.A. No.705 of 2016

M.B. Sonawane

..Applicant.

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri S.K. Nair, learned Special Counsel with Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Special Counsel files reply on behalf of the respondents and the same is taken on record.

3. Ld. Advocate for the applicant seeks three weeks time.

4. S.O. to 1.4.2020.

Sd/-

(A.P. Kurhekar)
Member (J)
18.2.2020

(sgj)

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
18.2.2020