

O.A. No.222 of 2020

M.M. Raut ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri Anukuk B. Seth, learned Advocate holding for Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manehekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant undertakes to remove the office objections.

3. Ld. Advocate for the applicant submits that the post for physically handicapped person is not kept reserved and therefore seeks interim relief.

4. Whereas perusal of the advertisement dated 22.7.2017 and particularly para 2.6 makes it clear that person with physical disability will be eligible and considered for the post. Ld. Advocate for the applicant fairly admits that the name of the applicant has figured as successful candidate in the result published on 5.3.2020. This being the position at present there is no case for his apprehension that he will not be considered when the appointments will be declared. As such at present we are not inclined to grant interim relief as OA itself appears premature.

5. In view of the foregoing at present the Ld. Advocate for the applicant is not in a position to satisfy the reasons for approaching this Tribunal.

6. Ld. Advocate for the applicant proposes to bring on record the GRs dated 19.8.2005 and 13.8.2009 referred to in para 2.6 of the Advertisement dated 22.7.2017 (Exhibit D page 61-67 of OA).

7. As per his request adjourned to 26.3.2020 Steno copy permitted.

Sd/-

(A.P. Kurhekar)
Member (J)
18.3.2020

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
18.3.2020

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.03.2020</p> <p>O. A. No.1184 of 2019</p> <ol style="list-style-type: none"> 1. Heard Shri Tanvi Sangale holding for Shri P.S. Pathak , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 15.04.2020. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within 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 15.04.2020. <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="915 848 1135 878" style="text-align: center;"><u>O.A. No.216 of 2020</u></p> <p data-bbox="711 907 1291 996">S.W. ThakareApplicant Vs. The State of Maharashtra & Ors.Respondents</p> <p data-bbox="711 1028 1346 1144">Heard Shri Umesh V. Mohite, learned Advocate holding for Shri P.K. Shahane, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="711 1176 1346 1263">2. Shri Umesh V. Mohite, learned Advocate files his vakalantama on behalf of the applicant and the same is taken on record.</p> <p data-bbox="711 1294 1346 1382">3. Ld. Advocate for the applicant seeks time to take instruction from the applicant regarding relevant dates in the matter.</p> <p data-bbox="711 1413 963 1442">4. S.O. to 7.4.2020.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div data-bbox="846 1467 909 1500" style="text-align: center;">Sd/-</div> <div data-bbox="1128 1467 1195 1500" style="text-align: center;">Sd/-</div> </div> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div data-bbox="795 1532 969 1615" style="text-align: center;">(A.P. Kuthekar) Member (J) 18.3.2020</div> <div data-bbox="1047 1532 1260 1615" style="text-align: center;">(P.N. Dixit) Vice-Chairman (A) 18.3.2020</div> </div> <p data-bbox="711 1621 760 1650">(sgi)</p>

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

Tribunal's orders

O.A. No.90 of 2020

V.D. Kulkarni ..Applicant
Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri U.D. Chemburkar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. The applicant is seeking interim relief to stay the proceedings of DE initiated by issuance of charge-sheet dated 24.10.2019.

3. The perusal of charge-sheet reveals that DE is being initiated for unauthorized absence of 172 days. However, there is specific mention in the charge-sheet itself that said leave of 172 days is already sanctioned as extra-ordinary leave. The applicant has also produced leave sanction order dated 9.3.2018 which shows that leave has been treated as extra-ordinary leave.

4. Thus, it appears though absence of the applicant is treated as extra-ordinary leave and it is sanctioned accordingly, for that reason the DE is initiated belatedly by issuing charge-sheet dated 24.10.2019. There seems to be no other reason for initiation of DE.

5. In view of the above, prima facie case is made out to grant interim relief to stay the proceedings of DE otherwise in the meantime if the DE is completed the purpose of filing of OA itself would be frustrated.

6. In view of the above, we are inclined to grant interim relief to stay the proceedings of DE till next date.

7. Ld. PO is directed to file affidavit in reply on next date so that the matter can be disposed off at the stage of admission.

8. S.O. to 31.3.2020. Steno copy permitted.

Sd/-

Sd/-

(A.P. Kurhakar)
Member (J)
18.3.2020

(P.N./Dixit)
Vice-Chairman (A)
18.3.2020

(sgl)