

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

Tribunal's orders

Date : 19.01.2016.

O.A.No.57 of 2016

1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 27.01.2016.

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 Respondent 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. S.O. to 27.01.2016.

(M.N. Gilani J.)
Member (J)

prk

DATE: 19/1/16

CCP:

M.N. Gilani (Chairman)

A.V. Bandiwadkar

N.K. Rajpurohit

Adj. To 27/1/16

BE

**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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Date : 19.01.2016.

O.A.No.37 of 2016

1. Heard Shri A.R. Joshi, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.
2. Respondents No.1 to 4 have been served.
3. Shri A.J. Chougule, learned P.O. seeks time to file reply.
4. S.O. to 16.02.2016.


DATE: 19/1/2016

CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. M. Gilani (Member) A J

APPEARANCE:
S.E. A.R. Joshi
Advocate for the Applicant
Shri / Smt. A.J. Chougule
C.P.O. / P.O. for the Respondent/s

Adj. To 16/2/16

prk


(M.N. Gilani J.)
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
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Date : 19.01.2016.

O.A.No.41 of 2016

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents..
2. Respondents No.1 to 5 have been served.
3. Shri K.B. Bhise, learned P.O. seeks time to file reply.
4. S.O. to 27.01.2016.


 (M.N. Gilani J.)
 Member (J)

prk

DATE : 19/1/16

CORAM :

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

Hon'ble Shri M. M. N. Gilani (Member) A J

APPEARANCE :

Shri / Smt. K.R. Jagdale

Advocate for the Applicant

Shri / Smt. K.B. Bhise

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

Adj. To 27/1/2016

prk

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/ 243 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date :

ORIGINAL APPLICATION NO. 53 OF 2016.

- 1 Shri Rajabhau S. Morale,
Add. Flat No. 302, Sai Nirman Bldg., 60 Ft. Road, Pimple Gurav, Pune-61.
.....**APPLICANT/S.**

VERSUS

- 1 State of Maharashtra, Through Chief Secretary, Mantralaya, Mumbai-32.
2 Principal Secretary, Revenue and Forest Dept., Mantralaya, Mumbai-32
3 The Collector, Collector Office Compound, Pune-01.
4 Shri Balkrishna P. Salunke, Circle Officer, Row House, Near Sangan Garden, Wada Road, Rajgurunagar, Tal. Khed, Dist. Pune-5
.....**RESPONDENT/S.**

✓ Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 19th day of **January, 2016** has made the following order:-*

APPEARANCE : Smt. P. Mahajan, Advocate for the Applicant.
Smt. K.S. Gaikwad, P.O. for the Respondents No. 1 to 3.

CORAM : **HON'BLE JUSTICE SHRI M.N. GILANI, MEMBER (J).**

DATE : **19.01.2016.**

ORDER : 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents No. 1 to 3.

2. Respondents No. 1 to 3 have been served. Respondent No.4 is yet to be served.

3. Read annexures A to A4. It seems that on 21.07.2014, Respondent No.4 was posted at the place of his choice. Again as per his request he is being posted at Chakan in place of the applicant. It is doubtful whether compliance of the provisions of Transfer Act qua the petitioner has been made. Therefore, there shall be status quo. Hamdast.

4. S.O. to 16.02.2016.

Sd/-
(M.N. Gilani, J.)
Member (J)

Mahesh
19/1/2016
**Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.**

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

Tribunal's orders

Date : 19.01.2015.

O.A.No.586 of 2015 (D.B.)

1. Heard Shri G.A. Bandiwadekar, the learned Advocate for the Applicant and Shri K. B. Bhise, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Affidavit-in-reply of Respondent No.1 has been filed. Affidavit-in reply of Respondent No.2 has not been filed and nobody on his behalf is present.
3. Learned P.O. for the Respondents seeks adjournment to file affidavit-in-reply of Respondent No.2.
4. That request cannot be granted because it does appear that inasmuch as nobody is present on behalf of the Respondent No.2 the said authority is not interested to file affidavit-in-reply. The O.A. proceeds without affidavit-in-reply of Respondent No.2 but it is made clear that next whenever the matter appears before the bench for effective hearing, if reply is tendered on behalf of the Respondent No.2 it will be taken on record but no adjournment will be given for that purpose.
5. Admit. Liberty to mention is granted.

DATE: 19/1/15

CORAM:

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

Hon'ble Shri M. Ramesh Kumar (Member) A-J

APPEARANCE:

Shri G.A. Bandiwadekar

Advocate for the Applicant

Shri K.B. Bhise holding for

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

Smt. K.S. Gaikwad, P.O. for R.O.S.

Adv. To Admit. Liberty to mention

is granted.

BYE

sba

19.1.15

(R.B. Malik)
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.

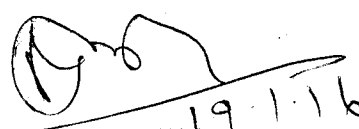
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.929/2015

Heard Ms. S.P. Manchekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

Affidavit-in-rejoinder is taken on record. Ms. Manchekar, the learned Advocate requests for a fix date of hearing because the Applicant is currently on maternity leave which will continue till 23rd March, 2016. Request is considered. Admit. Adjourned for hearing before the appropriate Bench on 5th February, 2016.

DATE: 19/1/16 DLB
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member)-A]
APPEARANCE:
Shri/Smt. S.P. Manchekar
Advocate for the Applicant
Shri/Smt. K.B. Bhise
C.P.O./P.O. for the Respondent/s
Admit.
Adj. To. 5/2/16


19.1.16
(R.B. Malik)
Member (J)
19.01.2016

(skw)

F.H.
B.K.

**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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Date : 19.01.2016.

O.A.No.461 of 2015 (D.B.)

1. Applicant and Advocate absent. Heard Shri K. B. Bhise, learned Presenting Officer for the Respondents.
2. Affidavit-in-rejoinder has been filed.
3. Admit. Liberty to mention is granted.

DATE: 19/1/16 D/B

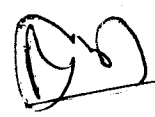
CORAM:
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) A J

APPEARANCE:
Shri/Smt. None for the appl.

Advocate for the Applicant
Shri/Smt. K.B. Bhise
C.P.O./P.O. for the Respondent/s

Adj. To Admit. Liberty to mention
is granted.

BE


19.1.16
(R.B. Malik)
Member(J)

sb

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

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

O.A.937/2015

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

The Affidavit-in-reply of Respondent No.1 is taken on record. Mrs. Gaikwad, the learned P.O. submits that on facts, it is not necessary to file the reply of Respondent No.2. The OA proceeds without the reply of the Respondent No.2.

S.O. to 27th January, 2016 for rejoinder.

DATE: 19/1/2016 D/B

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri R.B. Malik (Member) A-1

APPEARANCE:

Shri G.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad
C.P.O. / P.O. for the Respondent/s

Adj. To.....27/1/16 Per rejoinder.

skw



(R.B. Malik)
Member (J)
19.01.2016

19-1-16

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

Tribunal's orders

Date: 19-01-2016.

O.A.No.58 of 2016 with M.A.No.32 of 2016

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

2. Issue notice returnable on 27.01.2016.

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 Respondent 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. S.O. to 27.01.2016.

(M.N. Gilani J.)
Member (J)

DATE: 19/1/16

CORAM:

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

Hon'ble Shri M. Rameshkumar (Member) A. J.

APPEARANCE:

Shri/Smt.: A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt.: A.J. Chougule

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

Adj. To: 27/1/16.

BTE

prk

[Sp1/MAT/F-5/E]

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

NO.MAT/MUM/JUD/281 /2016
Maharashtra Administrative Tribunal
Pay & Accounts Barrack Nos.3 & 4,
Free Press Journal Marg,
Nariman Point, Mumbai 400 021.

Date : **25 JAN 2016**

ORIGINAL APPLICATION NO. 51 OF 2016.

- 1 Dr. Pravingiri C. Goswami,
R/o. 23, "Sai Laxmi", Opp. Shriram Mandir, Shriram Nagar, Dondaicha,
Tal. Dondaicha, Dist. Dhule.

.....**APPLICANT/S.**

VERSUS

- 1 M.P.S.C., Bank of India Bldg., 3rd Floor, M.G. Road, Hutatma Circle, Mumbai-01. 2 The State of Maharashtra, Through its Secretary, Public Health Dept., M.S., Mantralaya, Mumbai-32.

.....**RESPONDENT/S.**

✓ Copy to : The C.P.O. M.A.T., Mumbai.

*The applicant/s above named has filed an application as per copy already served on you, praying for reliefs as mentioned therein. The Tribunal on the 19th day of **January, 2016** has made the following order:-*

APPEARANCE : Shri A.V. Patil, Advocate for the Applicant.
Shri K.B. Bhise, P.O. for the Respondents.

CORAM : **HON'BLE SHRI RAJIV AGARWAL, VICE-CHAIRMAN.**
HON'BLE SHRI R.B. MALIK, MEMBER (J).

DATE : **19.01.2016.**

ORDER : Order Copy Enclosed / Order Copy Over Leaf.

The said application has been admitted and the Tribunal has directed to issue notice for all the Respondents to file their replies. This notice is accordingly issued to you, you should file in duplicate, your duly verified reply along with copies of documents on which you intend to rely on or before within 30 days from the date of receipt of this Notice. The said reply should be typed in double space and book form. You should, also simultaneously serve on the applicant or his Advocate a copy of the said reply along with the copies of the documents on which you intend to reply and file proof of such service in the registry. Also take notice that if you do not file the reply in the stipulated period the Tribunal will decide the case ex-parte.

Take notice that the above application has been fixed for Admission /~~Final Hearing~~ on **16.02.2016** at 11-00 a.m. You should appear for the said hearing in person or through your Advocate, to show cause, why the application should not be admitted.

Take further notice that in case you do not appear in person or through you Advocate, your application is liable to be dismissed for default/the matter will be decided ex-parte.

Please acknowledge receipt of notice positively.

Dated this day of 2016

Amal
21/1/2016

**Research Officer,
Maharashtra Administrative Tribunal,
Mumbai.**

Encl :
Note

- 1 The Maharashtra Administrative Tribunal will not be able to deal with their correspondence, if they need some information.
- 2 They may seek it through their agents or their Lawyers, if any.
- 3 Their prayer for an early hearing of the case, cannot possibly be ordered on the basis of a letter since there is a provision of filing a Miscellaneous Application for the purpose.
- 4 Certified copy of the Judgment will be issued on the application of the concerned along with requisite copying fees.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.51 OF 2016

DISTRICT : DHULE

Dr. Pravingiri Chandrabhangiri Goswami

..Applicant

Versus

The State of Maharashtra & Ors.

..Respondents

Shri A.V. Patil – Advocate for the Applicant

Shri K.B. Bhise – Presenting Officer for the Respondents

CORAM : Shri Rajiv Agarwal, Vice-Chairman

Shri R.B. Malik, Member (J)

DATE : 19th January, 2016

PER : Shri R.B. Malik, Member (J)

ORDER

1. Heard Shri A.V. Patil, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. The applicant seeks urgent relief for a direction to the MPSC to interview him on one of the two dates i.e. 28th and 29th January, 2016 on which dates other candidates who will be interviewed pursuant to the directions of this Tribunal in a number of OAs. As a matter of fact such matters came up before one of us [Coram: Shri R.B. Malik, Member (J)] and also the Hon'ble Chairman in one group of OAs and directions came to be given as a result of which the interview process which came to an end on

30.12.2015 has now been in the manner of speaking extended for two more dates as just mentioned. But by order of 12.1.2016 in a group of OAs including OAs No.28 and 29 of 2016 Dr. Archana N. Bhingare Versus State of Maharashtra & Ors. it has been made clear that thence forth no further OAs will be considered for interim order for being interviewed lest the whole process became endless. In para 7 thereof however it was clarified that others so similarly placed as those applicants would not be rendered remediless inasmuch as if they were able to establish their case after the final hearing of the OAs the Tribunal will be fully competent to direct their interviews.

3. Now, it is no doubt true that the present OA is in a slightly different factual context. Here the applicant apparently applied through category of physically handicapped but it seems that the MPSC held that he did not answer the requirements for the said post, post short listing criteria. We make it clear that as of now we make no pronouncement or expression of opinion about the short-listing criteria aspect of the matter. Broadly so speaking there is power to prescribe the said criteria but at the same time it is not completely immune from the judicial scrutiny with the limitations that are there in a judicial review of an administrative action.

4. In this particular matter on applicant's own showing he came to know on 17.12.2015 that may be there was some problem with regard to his eligibility because of which he made a representation to the MPSC which in fact has not been responded to. He had sufficient time from 17.12.2015 to 30.12.2015 to file an OA which he did not avail of. However, as just mentioned MPSC has



their own reasons and while we do not make any detailed observations but it appears that the applicant may while submitting the application online have submitted the details which may not have been exactly accurate. But as we mentioned just now we express no final opinion thereabout.

5. It must be remembered that at the moment we are at the stage of interim order and applying the general principles that one must do in matters at this stage on facts it is not possible to give a direction to allow the applicant to be interviewed. However, as mentioned in the order of this Tribunal dated 12.1.2016 if this applicant also will succeed in establishing his case on merits in the OA then appropriate directions will be given and in that view of the matter the applicant does not become completely remediless. In that view of the matter and with that liberty no other orders as of today.

6. Issue notice returnable on 16.2.2016.

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

8. Applicant is authorized and directed to serve on 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.

A handwritten signature in black ink, consisting of a stylized, cursive letter 'B' followed by a horizontal line extending to the right.

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

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

11. S.O. to 16.2.2016. Place before the Single Bench.

sc/
(R.B. Malik)
Member (J)
19.1.2016

sc/
(Rajiv Agarwal)
Vice-Chairman
19.1.2016

Dictation taken by: S.G. Jawalkar.

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TRUE COPY
Amal
21/1/2016
Asst. Registrar / Research Officers
Maharashtra Administrative Tribunal
Mumbai