

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**  
**ORIGINAL APPLICATION NO.11 OF 2018**

A.H. Raskar & Ors.

**.. Applicants**

Versus

The State of Maharashtra & Ors.

**.. Respondents**

Shri A.V. Bandiwadekar, the learned Advocate for the Applicant.

Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

CORAM : Justice Shri A.H. Joshi, Chairman

Shri P.N. Dixit, Member (A)

DATE : 19.04.2018.

**ORDER**

1. Heard Shri A.V. Bandiwadekar, learned advocate for the applicants and Ms. S.P. Manchekar, learned C.P.O for the Respondents.
2. Learned P.O. for the Respondents has tendered affidavit. It is taken on record.
3. Both parties insist for final hearing. Learned Advocate for the Applicant prays for continuations of interim relief, if the hearing cannot be completed.
4. This Tribunal had passed order on 26.03.2018 and directed that the order adverse to the Applicant shall remain still next date. Said order was continued till 17.04.2018.
5. On 17.04.2018 the hearing was opened however hearing could not be completed because time was over. On that date there was no concurrence on the point of continuation of interim relief between the members of Bench. Therefore, the case was listed today for hearing on interim relief.
6. Even, today there is no concurrence between the Chair Person and Hon'ble Member (A) on the point of continuation of interim relief, and hence O.A. needs to be heard urgently.

7. Today, the parties are ready for final hearing. We have almost spent 50 minutes time but hearing cannot be completed, till 5 pm.
8. Since Chairman is going to have sitting at Aurangabad bench from 23.04.2018, we consider it to be proper to take up the case for final hearing before the bench as may be available on 24.04.2018.
9. The question of continuation or otherwise on the point of interim relief has to be considered.
10. In the peculiar background, though the Chairman alone is satisfied that interim relief needs to be granted till hearing of O.A., it is proposed to continue the interim relief till 24.04.2018.
11. Let the O.A. be heard for final disposal on 24.04.2017.

Sd/-  
(P.N Dixit)  
Member (A)

Sd/-  
(A.H Joshi, J.)  
Chairman

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_ Applicant/s

(Advocate .....

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>R.A. No.24 of 2016 in O.A. No.356 of 2012</u>
<p>DATE: <u>19/4/18</u></p> <p>COMAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri. .... <u>A.S. Gaikwad</u></p> <p>Advocate for the Applicant <u>Shri. .... K.S. Gaikwad</u></p> <p>Advocate for the Respondents <u>.....</u></p> <p>Adj./S.O. to ..... <u>RA is allowed.</u></p> <p><i>[Signature]</i></p>	<p>Shri Y.V. Papal ..Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Shri A.S. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for review/recalling of the order dated 27.9.2012 passed by this Tribunal allowing withdrawal and disposing off OA No.356 of 2012.</p> <p>3. Shri A.S. Gaikwad, Ld. Advocate for the applicant as well as Shri C.T. Chandratre, Ld. Advocate states that Shri C.T. Chandratre will file his Vakalatnama during the course of the day.</p> <p>4. Shri C.T. Chandratre, who was Advocate on record in OA No.356 of 2012 states that he had instructed his junior colleague to appear on the particular date when the matter was on board and due to miscommunication the case was withdrawn.</p> <p>5. It is seen that restoration of OA will not result in prejudicing the respondents. Hence, present RA is allowed. The order dated 27.9.2012 passed by this Tribunal in OA No.356 of 2012 is recalled and the OA No.356 of 2012 is restored to file.</p> <p>Sd/- (P.N. Dixit) Member (A) 19.4.2018 (sgj)</p> <p>Sd/- <i>[Signature]</i> (A.H. Joshi, J.) Chairman 19.4.2018</p>

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

Tribunal's orders

O.A. No.356 of 2012

Shri Y.V. Papal ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 10.7.2018.
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 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, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. Shri A.S. Gaikwad, Ld. Advocate undertakes to file his Vakalatnama in OA No.356 of 2012.

DATE: 19/4/18

CORAM:

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

Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri C.T. Chandratre

(V.P. Filed)

Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to 10/7/18

Sd/-  
(P.N. Dixit)  
Member (A)  
19.4.2018

(sgj)

Sd/-  
(A.H. Joshi, J.)  
Chairman  
19.4.2018

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

**19.04.2018** Tribunal's orders  
**O.A No 313/2018**

Shri A.R Shinde ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Shri N.K Rajpurohit, learned P.O for the Respondents.

2. Issue notice returnable on 10.7.2018.

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. Learned advocate for applicant wants to argue for interim relief. For the present, we direct that in case order of reversion is passed, it shall remain in abeyance for four weeks.

9. Heard on interim relief.

10. Ad-interim relief in terms of prayer 15(b) till admission hearing.

11. S.O to 10.7.2018.

12. Steno copy and Hamdast is granted. Learned Presenting Officer is directed to communicate this order to the Respondents.

DATE: 19/4/18

CORAM:

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

Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri/Smt. M.D. Lonkar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

C. P.O. for the Respondents

Adj. S.O. to 10/7/18

Sd/-

(P.N'Dixit)  
Member (A)

Alm

Sd/-

(A.H Joshi, JP)  
Chairman

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: right;">Tribunal's orders</p> <p><b>19.04.2018</b></p>
<p><b>DATE:</b> <u>19/4/18</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>M. D. Lonkar</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>K. B. Bhise</u></p> <p>G.P./P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>A/G/18</u></p> <p style="text-align: right;"><i>Prad</i></p>	<p style="text-align: center;"><b>O.A No 364 /2018</b></p> <p>Shri N.J Karale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D Lonkar, learned for the applicant and Shri K.B Bhise, learned P.O for the Respondents.</li> <li>2. Issue notice returnable on 4.6.2018.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>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.</li> <li>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>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.</li> <li>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.</li> <li>8. Learned advocate for applicant wants to argue for interim relief. For the present, we direct that in case order of reversion is passed, it shall remain in abeyance for four weeks.</li> <li>9. Respondents are directed to take decision on applicant's application at Exh. I, page 20 taking into consideration the fact that Crime no. 12 of 2016 was registered after appointment of the applicant.</li> <li>10. The decision be taken before next date and be communicated to the applicant.</li> <li>11. If decision is taken, it is not be necessary to file reply and it is applicant's turn to take appropriate step.</li> <li>12. S.O to 4.6.2018</li> <li>13. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.</li> </ol> <p style="text-align: center;">Sd/- (P.N.Dixit) Member (A)</p> <p style="text-align: right;">Sd/- <i>am</i> (A.H Joshi, J.) Chairman</p> <p style="text-align: left;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>19.04.2018</u>
<p><b>DATE:</b> <u>19/4/18</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p><b>APPEARANCE:</b> <del>Shri/Smt. _____</del> <u>None for the applicant</u> Advocate for the Applicant</p> <p><del>Shri/Smt. _____</del> <u>Ms. S. Suryavanshi</u> C.F./P.O. for the Respondents</p> <p>Adj./ S.O. to <u>8/6/18</u></p> <p><i>[Signature]</i></p>	<p><u>C.A 14/2018 in O.A No 632/2017</u></p> <p>Shri V.A Deshpande ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Presenting Officer, adjourned to 8.6.2018.</p> <p>Sd/- (P.N Dixit) Member (A)</p> <p>Sd/- <i>lm</i> (A.H Joshi, J) Chairman</p> <p>Akn</p>

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

Tribunal's orders

**19.04.2018**

**O.A No 300/2018**

Shri R.B Vaishnav ... Applicant  
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. Issue notice returnable on 4.7.2018.

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. Learned advocate for applicant wants to argue for interim relief. For the present, we direct that in case order of reversion is passed, it shall remain in abeyance for four weeks.

9. S.O to 4.7.2018.

10. Steno copy and Hamdast is granted. Learned Presenting Officer is directed to communicate this order to the Respondents.

DATE: 19/4/18  
COPIES:  
Hon. Justice Shri A. H. Joshi (Chairman)  
Hon. Justice P. N. Dixit Member (A)  
AFFIDAVIT:  
Shri A.V. Bandiwadekar  
Advocate for the Applicant  
Shri S.P. Manchekar  
C.P.O. for the Respondents  
Adv/S.O. to 4/7/18.

Sd/-

(P.N Dixit)  
Member (A)

Alm

Sd/-

(A.H Joshi, J.)  
Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> <u>19/4/18</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>D. B. Khaire</u></p> <p>Advocate for the Applicant Shri/Smt. <u>K. S. Gaikwad</u></p> <p>C.F. P.O. for the Respondents Adj./ S.O. to <u>24/4/18</u></p>	<p><u>19.04.2018</u></p> <p><u>C.A 12/2018 in O.A No 257/2016</u></p> <p>Dr S.B Dube ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O states that Writ Petition is filed against the order passed by this Tribunal and circulation is taken.</p> <p>3. For reporting, if circulation is taken, S.O to 24.4.2018</p> <p>Sd/- (P.N Dixit) Member (A)</p> <p>Sd/- (A.H Joshi, J) Chairman</p> <p>Akn</p>

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

Tribunal's orders

**19.04.2018**

**O.A No 355/2018**

Smt J.M Shaikh ... Applicant  
Vs.  
The State of Maharashtra & Ors... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri N.K Rajpurhoit, learned Presenting Officer for the Respondents.

2. Learned Advocate prays for leave to add annexures. Leave granted.

3. Issue notice returnable on 12.7.2018.

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

5. 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.

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

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

8. 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.

9. While answering O.A, special attention be given to para nos 6.20, 6.21, 6.24, 6.25, 6.36, 6.38 & 6.42A.

10. S.O to 12.7.2018.

DATE: 19/4/18

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)  
Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri/Smt. A. V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N. K. Rajpurhoit

C. P.O. for the Respondents

Adj./ S.O. to 12/7/18

*[Handwritten signature]*

Sd/-  
(A.H. Joshi, J.)  
Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> 19/4/18</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p><b>APPEARANCE:</b> <del>Shri/Smt. None for the applicant.</del> Associate for the Applicant</p> <p><del>Shri/Smt. K. S. Gaikwad</del> C. for P.O. for the Respondents</p> <p>Adj./S.O. to 4/5/18</p>	<p><u>19.04.2018</u></p> <p><u>C.A 142/2014 in O.A No 27 /2003</u></p> <p>Shri U.P Paradikar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents</p> <p>2. At the request of learned P.O, adjourned to 4.5.2018.</p> <p>Sd/- (P.N Dixit) Member (A)</p> <p>Sd/- (A.H Joshi, J.) Chairman</p>

(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  
O.A. No.1182 of 2017

Shri R.J. Medsing ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri R.G. Panchal, learned Advocate for the Applicant and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.

2. Ld. PO tenders affidavit. It is taken on record.
3. Ld. Advocate for the applicant states that he would come with draft amendment tomorrow.

4. S.O. to 20.4.2018.

DATE: 19/4/2018

CORAM:

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

Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri/Smt. R.G. Panchal

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

C. P.O. for the Respondent/s

Adj./S.O. to 20/4/2018

Sd/-

(P.N. Dixit)  
Member (A)  
19.4.2018

(sgj)

Sd/-

(A.H. Joshi, J.)  
Chairman  
19.4.2018

19/4  
2018