

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

Tribunal's orders

O.A. No.317,318, 319, 320 & 321 of 2017

V.P. Rajput
A.S. Shirsat
A.B. Sonawane
S.Z. Rite
H.M. Hendre ... Applicants

V/s.
The State of Mah. & ors. Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned P.O. for the Respondents.

No interim relief as of today. Liberty is reserved for the Applicants to renew the request of interim relief. The facts are such where the Respondents must file an Affidavit-in-Reply, long or short but at least to indicate as to the competency aspect of the matter positively without fail on the next date because they have to assist this Tribunal in a proper adjudication of the ~~cost~~ ^{cause}.

Issue notice returnable on 03.05.2017.

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

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.

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 03.05.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik)
Member (J)
20.04.2017

20-4-17

DATE: 20/4/17

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

C.P.O./P.O. for the Respondents

Adj. To: S.O. to 3/5/17

(C/O recep)

[Signature]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>20/4/17</u></p> <p>COMAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice-Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) J</p> <p>APPEARANCE:</p> <p>Shri/Smt. <u>A.V. Bandiwadekar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>A.J. Chougule</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To: <u>26/4/17</u> for hearing</p> <p>Subject to part heard. (vsm)</p> <p><u>[Signature]</u></p>	<p><u>O.A. No.274 of 2017</u></p> <p>Shri G.R. Popalghat ... Applicant</p> <p>V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.</p> <p>The learned Advocate informs that the applicant does not want to file rejoinder. This aspect of the matter is recorded because according to the learned P.O. they have raised what he called preliminary objection. It appears to be plea of the bar of limitation. It is recorded that the Applicant does not want to file rejoinder.</p> <p>Original Application is adjourned for hearing subject to Part-Heard on 26.04.2017.</p> <p>Sd/-</p> <p><u>[Signature]</u> (R.B. Malik) <u>20.4.17</u> Member (J) 20.04.2017</p>

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

Tribunal's orders

O.A. No.314 of 2017

Shri J.J. Patil ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned P.O. for the Respondents.

Issue notice returnable on 04.05.2017.

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

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.

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 04.05.2017. Learned P.O. do waive service.

DATE: 20/4/17

CORAM:

Hon'ble Shri RAHVAGARWAL
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. K.R. Jagdale
Advocate for the Applicant

Shri/Smt. Ms. S. Suryawanshi
C.P.O./P.O. for the Respondents

Adj. To: S.O. to 4/5/17

Sd/-
20.4.17
(R.B. Malik)
Member (J)
20.04.2017

**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. No.272 of 2017

Shri K.M. Isame ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

Shri L. S. Deshmukh, the learned Advocate informs that the Applicant does not want to file rejoinder. Regard being had to the nature of the OA that hearing is expedited.

Original Application is admitted and appointed for final hearing on 27.04.2017.

Sd/-

(R.B. Malik) 20.4.17
Member (J)
20.04.2017

DATE: 20/4/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL
(Vice Chairman)~~

Hon'ble Shri R. B. MALIK (Member) ✓

APPEARANCE:

Shri/Smt. L.S. Deshmukh

Advocate for the Applicant

~~Shri/Smt. Ms. S. Suryawanshi~~

~~G.P.O./P.O. for the Respondents~~

O.A. is admitted.

Adj. To S.O. to 27/4/17

(vsm)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>20/4/17</u></p> <p>CORAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice Chairman)</p> <p>Hon'ble Shri R. B. MALIK (Member) ✓</p> <p>APPEARANCE:</p> <p>Shri/Cont. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To. <u>S.O. to 5/5/17</u></p> <p><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.315 of 2017</u></p> <p>Shri S.N. Salunkhe ... Applicant</p> <p style="text-align: center;">V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.</p> <p>Issue notice returnable on 05.05.2017.</p> <p>Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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>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>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 four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>S.O. to 05.05.2017. Learned P.O. do waive service.</p> <p style="text-align: right;">Sd/- <i>[Signature]</i> <u>20/4/17</u> (R.B. Malik) Member (J) 20.04.2017</p> <p>(vsm)</p>

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

O.A. No.332 of 2017

Shri B.N. Jadhav ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

Issue notice returnable on 08.06.2017.

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

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.

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 08.06.2017. Learned P.O. do waive service.

Sd/-

(R.B. Malik)
Member (J)
20.04.2017

DATE: 20/4/17

COSAM:

~~Hon'ble Shri. RAHVAGARWAL~~
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri ~~Smt.~~ A.V. Bandiwadekar

Advocate for the Applicant

Shri ~~Smt.~~ A.J. Chougule

P.P.O. for the Respondents

Adj. To: S.O. to 8/6/17.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>20/4/17</u></p> <p>BY: <u>Shri. RAJIV AGARWAL</u> (Vice-Chairman)</p> <p>BY: <u>Shri R. B. MALIK (Member)</u></p> <p>APPEARANCE:</p> <p>Shri. <u>G.A. Bandiwadkar</u> Advocate for the Applicant</p> <p><u>Ms. S. Suryawanshi</u> P.O. for the Respondents</p> <p><u>Rejoinder filed by Applicant.</u></p> <p>Adj. To <u>S.O. to 14/6/17.</u></p> <p><i>FH</i></p>	<p align="center"><u>O.A. No.255 of 2017</u></p> <p>Shri A.D. Mhaisale ... Applicant</p> <p align="center">V/s.</p> <p>The State of Mah. & ors. ... Respondents</p> <p>Heard Shri G.A. Bandiwadkar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.</p> <p>Affidavit-in-Rejoinder is taken on record. Original Application is admitted and appointed for final hearing on 14.06.2017.</p> <p align="right">Sd/- <u>(R.B. Malik) 20.4.17</u> Member (J) 20.04.2017</p> <p align="center">(vsm)</p>

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

Tribunal's orders
M.A. No.143 of 2017

In
O.A. No.270 of 2017

Shri V.V. Sanghai ... Applicant
V/s.
The State of Mah. & ors. ... Respondents

This is an application seeking condonation of delay in presenting the Original Application, which is related to payment of arrears of license fees and penalty in respect of the residence.

I have perused the record and proceedings and heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms S. Suryawanshi, the learned P.O. for the Respondents.

The learned P.O. wanted time to file the Affidavit-in-Reply but I decided against granting the time in view of the nature of the facts such as they are.

The Applicant went before the Hon'ble High Court with the same matter by way of **W.P.No.2523/2013 (Mr. Vilas V. Sanghai V/s State of Maharashtra & Ors.)**, By an order of 15.02.2017, the Division Bench of the Hon'ble High Court allowed the same with liberty to be ~~withdrawn~~ to file an appropriate proceeding which is the present OA.

In my opinion, therefore, principles underlies the Section 14 of the Limitation Act, 1963 to be applicable hereto and delay will have to be is hereby condoned. The Applicant and the office are hereby directed to process the matter further so that the O.A. could be placed before appropriate bench for disposal according to law.

Misc. Application is allowed with no order as to costs.

Sd/-
(R.B. Malik) 20-4-17
Member (J)
20.04.2017

DATE: 20/4/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~
(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. Ms. S. Suryawanshi

P.O. for the Respondents

Adj. To: U.A. is allowed.

O.A. Adj. to 14/6/17.

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

M.A. No.156 of 2017
Tribunal's orders

O.A. No.1137 of 2016

with
O.A. No.1137 of 2016

Shri K.B. Jagtap ... Applicant

V/s.

The State of Mah. & ors. ... Respondents

This is an application to amend the Original Application.

I have perused the OA as well as the application for amendment and heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri N.K. Rajpurohit, the learned C.P.O. for the Respondent Nos.1 to 3. The Respondent No.4. is not present.

The directions will be given ^{for} service to Respondent No.4 but in my opinion ^{on} the anvil of the law of amendment, ^{application} this direction needs to be allowed and is accordingly allowed. The proposed amendment be carried out within a period of one weeks from today. Misc. Application is allowed with no order as to costs.

In W.P. No.958/2017, the Division Bench of the Hon'ble High Court by the order dated 29.3.2017 was pleased to pass an order for disposal of the OA preferably within a period of two months from today. Pertinently, the Respondent No.4 on whose request the above order was made has not appeared.

I have directed the Applicant to serve the said Respondent No.4 through Commissioner of Police, Navi Mumbai making it clear therein that on 02.05.2017, this OA shall be heard. All the Affidavits etc. must be completed before that.

OA stands adjourned for hearing as a first matter on board on 02.05.2017. Hamdast.

Sd/-

(R.B. Malik) 20.04.17
Member (J)
20.04.2017

DATE: 20/4/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~

(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member) J

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. N.K. Rajpurohit

C.P.O./P.O. for the Respondents Nos. 1 to 3.

R.No.4 is not Present.

Adj. To.....

M.A. 156/17 is allowed.

O.A. Adj. to 2/5/17.

as first matter on board.

Hamdast.