

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

Tribunal's orders

Date : 22.02.2018.

O. A. No.64 of 2018

L. G. Eppewar

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 22.03.2018.

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 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.

8. S.O. to 22.03.2018.

DATE: 22/2/18

CORAM:

Hon'ble Shri. RAJIV AGARWAL

(Vice-Chairman)

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

Hon'ble Shri. B. P. Patil (Member-J)

APPEARANCE:

Shri B. A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A. J. Chougule

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

Adj. To S.O. to 22/3/18.

[Signature]

Sd/- *[Signature]*

(B.P. PATIL)
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
<p><u>DATE:</u> 22/2/18</p> <p><u>CORAM:</u> Hon'ble Shri. RAJIV AGARWAL (Vice Chairman) Hon'ble Shri R. B. MALIK (Member) B.P. Patil</p> <p><u>APPEARANCE:</u> Shri/Smt. M.R. Patil</p> <p>Advocate for the Applicant Shri/Smt. K.S. Gaikwad</p> <p>C.P.O. for the Respondents Rejoinder filed by Applicant.</p> <p>Adj. To: O.A. is admitted. S.O. to 22/3/18.</p>	<p>Date : 22.02.2018.</p> <p>O. A. No.801 of 2017</p> <p>V. G. GawaiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.R. Patil, the learned Advocate for the Applicant and Smt. Kranti Gaikwad, the learned Presenting Officer for the Respondents. 2. Affidavit-in-Rejoinder is filed by the learned Advocate for the applicant. It is taken on record. 3. Original Application is admitted and appointed for final hearing on 22.03.2018. 4. S.O. to 22.03.2018. <p style="text-align: right;">Sd/- <i>[Signature]</i> (B.P. PATIL) MEMBER (J)</p> <p>VSM</p> <p style="text-align: right;">Sd/-</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
<p>DATE: <u>22/2/18</u></p> <p>CORAM:</p> <p>Hon'ble Shri. RAJIV AGARWAL (Vice Chairman)</p> <p>Hon'ble Shri R. D. MALIK (Member) J.</p> <p>APPEARANCE: <u>B.P. Patil</u></p> <p>Shri/Smt. <u>S. Patil</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u></p> <p>C.A. for the Respondents</p> <p><u>O.A. is admitted.</u></p> <p>Adj. To <u>S.O. to 22/3/18.</u></p> <p><i>[Signature]</i></p>	<p>Date : 22.02.2018.</p> <p>O. A. No.737 of 2017</p> <p>S. J. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S. Patil, the learned Advocate for the Applicant and Shri K. B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Original Application is admitted and appointed for final hearing on 22.03.2018.</p> <p>3. S.O. to 22.03.2018.</p> <p style="text-align: right;">Sd/- <u>[Signature]</u> (B.P. PATIL) MEMBER (J)</p> <p>VSM</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
---	-------------------

**M. A. No. 424 of 2017
in
O.A.No.385 of 2017**

D. R. Modak & Ors.Applicants

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri B. A. Bandiwadekar, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicants has submitted that the applicants do not want to proceed with the matter and want to withdraw the same. Therefore, he prays to dispose of this Misc. Application.

3. Since the applicants do not want to proceed with the M.A., M.A. is disposed of as withdrawn with no order as to costs.

DATE: 22/2/18

CORAM:

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

Hon'ble Shri. R. D. MALIK (Member)
B. P. Patil

APPEARANCE:

Shri. ~~_____~~ B. A. Bandiwadekar

Advocate for the Applicant

Shri. ~~_____~~ Ms. S. Suryawanshi

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

App. To M.A. is disposed
of _____

Sd/- J

**(B.P. PATIL)
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
---	-------------------

**M. A. No. 425 of 2017
in
O.A.No.695 of 2017**

H. R. Mamlekar & Ors.Applicants

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri B. A. Bandiwadekar, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. Learned Advocate for the applicants has submitted that the applicants do not want to proceed with the matter and want to withdraw the same. Therefore, he prays to dispose of this Misc. Application.

3. Since the applicants do, not want to proceed with the M.A., M.A. is disposed of as withdrawn with no order as to costs.

DATE: 22/2/18

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice Chairman)

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

APPEARANCE: B.P. Patil

Shri/Smt. B.A. Bandiwadekar
Advocate for the Applicant

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

Adj. To: M.A. is disposed of
[Signature]

Tsd/-
(B.P. PATIL)
MEMBER (J)

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

Tribunal's orders

Date : 22.02.2018.

R. Y. Patil

O.A.No.1148 of 2017

Versus

....Applicant

The State of Maharashtra & Ors.Respondents.

1. Heard Shri C. T. Chandratre, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.
2. The applicant has challenged the order dated 13.05.2016 passed by the Principal Secretary, Food, Civil Supply & Consumer Protection Department, Mantralaya, Mumbai i.e. Appellate Authority, allowing the appeal filed by the applicant partly and modifying the sentence in the departmental enquiry. He has also prayed to give direction to the respondents to process the pension papers and grant regular pension by filing the present Original Application.
3. Learned P.O. for the respondents has submitted that the applicant has challenged the impugned order dated 01.09.2015 by filing the representation/review before the respondent no.1 on 12.10.2017, the respondent no.1 has passed the order on 15.01.2018 and modified the earlier order dated 13.05.2016 to the extent of imposition of penalty. She has submitted that the applicant has not mentioned all these facts in the O.A. and suppressed the material facts. She has further submitted that the respondents want time to file detailed affidavit in reply. Therefore, learned P.O. for the respondents sought time to file reply.
4. On perusal of the record, it reveals that the applicant was punished in the departmental enquiry on 01.09.2015. The said order has been challenged by the applicant before respondent no.1 by preferring an appeal. The appeal was decided on 13.05.2016 and it was partly allowed and penalty imposed on the applicant has been modified. The record produced by the respondents shows that the applicant has challenged the said order dated 13.05.2016 by filing the representation dated 12.10.2017. After considering the representation made by the applicant, the respondent no.1 reviewed the order and modified the order passed in the appeal to the extent of imposing of the penalty on the applicant. The applicant has suppressed all these facts when he filed the present O.A. in this Tribunal on 11.12.2017. The applicant has filed the O.A. though his representation/review petition was pending before the competent appellate authority.
5. At this stage, the learned Advocate for the applicant prays to grant time to collect instructions from the applicant.
6. Time as prayed for is granted to the learned Advocate for the applicant.
7. S.O. to 23.02.2018. Hamdast.

DATE: 22/2/18

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice Chairman)

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

APPEARANCE:

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To S.O. to 23/2/18.

Hamdast.

[Signature]

Tsd/- M
(B.P. PATIL)
MEMBER (J)

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

Tribunal's orders

Date : 22.02.2018.

O. A. No.169 of 2018

S. B. WajeApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri ~~B. N.~~ Bandiwadekar, the learned Advocate for the Applicant and Shri K. B. Bhise, the learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 22.03.2018.
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 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.
8. S.O. to 22.03.2018.

DATE: 22/2/18

CORAM:

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

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

APPEARANCE:

Shri. B. A. Bandiwadekar

Advocate for the Applicant

Shri / Smt. K. B. Bhise

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

Adj. To S.O. to 22/3/18.

[Signature]

Sd/-
(B.P. PATIL)
MEMBER (J)