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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">Date : 24.09.2019.</p> <p style="text-align: center;">O.A.No.942 of 2019</p> <p>P. S. PawarApplicant</p> <p style="text-align: center;">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 2 and Shri C. T. Chandratre, learned Counsel for the Respondent No.3.</p> <p>2. In the present O.A., the Applicant has challenged the impugned transfer order dated 18.09.2019 whereby he is transferred from the post of Tahsildar, Dindori, Dist. Nashik to Assistant District Supply Officer, Nashik.</p> <p>3. Learned Counsel for the Applicant sought to contend that the Applicant was earlier transferred by the Government order dated 07.09.2019 and posted as Tahsildar, Dindori, Dist. Nashik, and therefore, Divisional Commissioner who has passed the impugned order is illegal on the ground of competency of the Commissioner. He further contends that the delegation of power to Commissioner in terms of G.R. dated 22.06.2019 is contrary to the provision of Transfer Act, 2005.</p> <p>4. Per contra, learned P.O. for the Respondent No.1 & 2 and Shri C. T. Chandratre, learned Counsel for the Respondent No.3 submit that the Government by order dated 16.09.2019 authorized the Commissioner to fill in the vacant post in view of ensuing Maharashtra Legislative Assembly Election, 2019, and therefore, the Commissioner was competent to issue such transfer order. Learned P.O. has also tendered the file which shows that the CSB at the level of Divisional Commissioner had recommended the said transfer.</p>

[P.T.O.]

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

Tribunal's orders

5. Thus, the question of competency of transferring authority is involved, which needs to be decided on merit. As of now, the order issued by the office of Collector, Nashik dated 19.09.2019 reveals that the Applicant is already relieved and in his place the Respondent No.3 has taken charge. This being the position, as the Applicant is already relieved from the post held by him i.e. Tahsildar, Dindori, Dist. Nashik and the Respondent has joined in his place I am not inclined to grant interim relief as it may affect the election process.
6. Issue notice before admission returnable on 10.10.2019.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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.
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. In case notice is not collected within three days or service report or affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
12. S.O. to 10.10.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

(G.C.P.) J 2959(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**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>Date : 24.09.2019.</p> <p>O.A.No.907 of 2019</p> <p>E. K. PadaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., by impugned transfer order dated 26.02.2019, the Applicant was shown transferred to Dist. Nandurbar on request though in fact he had not made any such request.</p> <p>3. Smt. Urmila Dalvi, Desk Officer is present from the office of DGP and states that the order dated 26.02.2019 was issued mistakenly and necessary corrigendum will be issued soon.</p> <p>4. In view of above, Original Application is disposed of with directions to Respondent No.1 to issue corrigendum order within a week from today. It be communicated to the Applicant.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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 data-bbox="662 466 868 495">Date : 24.09.2019.</p> <p data-bbox="885 517 1101 546">O.A.No.771 of 2019</p> <p data-bbox="662 570 1226 599">A. V. SontakkeApplicant</p> <p data-bbox="662 621 738 650">Versus</p> <p data-bbox="662 663 1247 692">The State of Maharashtra & Ors. ...Respondents.</p> <p data-bbox="662 725 1328 869">1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri N. P. Dalvi, learned Counsel for the Respondent No.2.</p> <p data-bbox="662 913 1328 1134">2. The present O.A. is filed by the Applicant challenging the order dated 03.08.2019 contending that same is in contravention of Section 4(4)(ii) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005).</p> <p data-bbox="662 1178 1328 1245">3. Yesterday, the matter was taken up for hearing at the stage of admission and was partly heard.</p> <p data-bbox="662 1289 1328 1577">4. During the course of hearing, learned Counsel for the Applicant vehemently assailed the impugned order on the ground that it is in blatant violation of Revenue Division Allotment for appointment by nomination and promotion to the posts of Group 'A' and Group 'B' (Gazetted & Non-Gazetted) of the Government of Maharashtra Rules, 2015 (Pune) (hereinafter referred to as Cadre Allotment Rules, 2015 for brevity) .</p> <p data-bbox="662 1621 1328 1975">5. The Respondent No.2 was promoted in the cadre of Block Development Officer (selection grade/Deputy Chief Executive Officer) and by impugned order, he was posted as Block Development Officer, Bhivandi, Panchayat Samiti, Dist. Thane, where the Applicant was posted. The Respondents sought to justify the impugned order contending that the post of BDD, Panchayat Samiti, Bhiwandi has been earmarked for selection grade amongst other places in view of G.R. dated 06.08.2016, and therefore, shifting of the Applicant, he being not in selection grade was necessary.</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. However, during hearing learned Counsel for the Applicant raised plea of contravention of Cadre Allotment Rules, 2015 contending that the Respondent No.2 had given option of Konkan-I, and therefore, he cannot be posted at Bhivandi which falls in Konkan-II. <i>Ex-facie</i>, in view of the Cadre Allotment Rules, the Respondent No.2 could not have been posted in Konkan-II division. However, he was posted in that division.</p> <p>7. Material to note that before issuance of promotion and posting order when the matter was placed before the CSB, the Respondent No.2 was recommended in Ratnagiri as per his option in Konkan-I. However, the Hon'ble Minister as well as Hon'ble Chief Minister accepted his request for posting at Bhivandi (which falls in Konkan-II, considering his family difficulties).</p> <p>8. The reply filed by the Respondent No.1 is totally silent about the breach of Cadre Allotment Rules.</p> <p>9. True, the pleading about the breach of Cadre Allotment Rules is raised by the Applicant for the first time in Rejoinder and not in O.A. However, thereafter also the Respondent No.1 ought to have responded to the ground of breach of Cadre Allotment Rules by filing Sur-Rejoinder, which is not done.</p> <p>10. Thus, <i>ex-facie</i> there is breach of Cadre Allotment Rules, 2015, and therefore, this position needs to be clarified by the Respondent No.1. It appears that so many officials were retained in breach of Cadre Allotment Rules.</p> <p>11. The Respondent No.1 is, therefore, directed to file Affidavit about the breach of Cadre Allotment Rules, 2015 without fail on 26.09.2019 as interim relief is operating in favour of the Applicant.</p> <p>12. Hamdast granted.</p> <p>13. S.O. to 26.09.2019.</p> <p style="text-align: right;">Sd/- _____ (A.P. Kurhekar) Member(J)</p>

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 : 24.09.2019.</p> <p style="text-align: center;">O.A.No.941 of 2019</p> <p>K. B. KulkarniApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Shri A. J. Chougale, learned Presenting Officer for the Respondent No.1 and Shri C. T. Chandratre, learned Counsel for the Respondent No.2.</p> <p>2. The Applicant has challenged the impugned order dated 20.09.2019 whereby the Respondent No.2 on promotion posted in his place without giving any posting to him.</p> <p>3. Learned Counsel for the Applicant, therefore, prayed for interim relief.</p> <p>4. Perusal of order dated 20.09.2019 reveals that Respondent was working on the post of Superintendent Engineer and has been promoted to the post of Chief Engineer. The matter was placed before the CSB and it recommended for his positing as Chief Engineer in place of the Applicant. As such, because of the promotion of the Respondent No.2, the Applicant is being displaced. However, while passing order dated 20.09.2019, the order regarding posting of the Applicant is not issued and that has created problem and because of which the Applicant has rushed to the Tribunal.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Indeed, the Government ought to have passed appropriate order about consequent posting of the Applicant while passing the order of promotion of Respondent No.2.</p> <p>6. Learned P.O, submits that file is under process for the posting of the Applicant and the order will be issued soon.</p> <p>7. In view of above, I am not inclined to grant interim relief as the Applicant is being displaced consequent to the promotion given to Respondent No.2.</p> <p>8. Shri S. G. Ganjekar, Under Secretary, Water Resource Department is present on behalf of the department and submitted that representation is received from representative MLA Shri Sanchiti recommending the posting of Applicant at Amravati and file is under process for issuing appropriate orders.</p> <p>9. Respondent No.1 i.e. Government is directed to issue appropriate posting order of Applicant within a week from today so that he is not left without posting.</p> <p>10. In view of above, O.A. is disposed of with no order as to costs.</p> <p>11. Hamdast is granted.</p>

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 Registrur's orders	Tribunal's orders
	<p>Date : 24.09.2019.</p> <p>M.A. No.329 of 2019 in O.A.No.385 of 2017 with O.A.No.695 of 2017</p> <p>D. R. Modak & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. O.A.No.385/2017 with O.A.No.695 of 2017 are decided by this Tribunal by judgment dated 17.05.2019. Later, the Applicant has filed this M.A. No.329/2019 for clarification in the matter to which, today, learned P.O. has filed reply. It is taken on record.</p> <p>3. S.O. to 09.10.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p>M. A. No.513 of 2019 with M.A. No.514 of 2019 with O.A.No.931 of 2019</p> <p>A. R. YelnameApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and _____, learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.513/2019 is filed by Advocate Shri C. T. Chandratre to implead his client Shri Anil Yelname on the ground that he is affected by the order passed by this Tribunal. Shri Yelname was transferred by order dated 17.09.2019 in the office of Collector of Stamp, Mumbai on vacant post. As such, he was to be posted on vacant post but by order dated 18.09.2019, he was posted on the post of given to Shri Markad (Applicant in OA 931/2019) by displacing him. It is on this context, interim relief is granted by this Tribunal.</p> <p>3. In view of above, M.A. No.513/2019 is allowed. Shri Yelmanme be impleaded as Respondent No.4 in O.A.,</p> <p>4. One week's time is granted for filing reply to Respondents.</p> <p>5. S.O. to 04.10.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p align="center">O.A.No.391 of 2017</p> <p>B. N. WakchawreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that grievance of the Applicant is already redressed and has tendered the copy of order dated 13.09.2019. It is taken on record and marked as letter 'X' for identification.</p> <p>3. In view of above, Original Application is disposed of with no order as to costs.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p>O.A.No.708 of 2019</p> <p>Dr. S. d. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondents. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 22.10.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p>O.A.No.770 of 2019</p> <p>S. B. MahajanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos. 1 and 2. It is taken on record.</p> <p>3. On the request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 09.10.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p>O.A.No.943 of 2019</p> <p>A. C. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondent seeks one day's time to produce the file. 3. Learned Counsel for the Applicant submits that he is relieved. 4. In view of above, the matter is adjourned to 25.09.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) 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
	<p>Date : 24.09.2019.</p> <p align="center">O.A.No.579 of 2019</p> <p>M. V. MengartiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 15.10.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>O.A.No.782 of 2019</p> <p>Yeole S.B. Applicant Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.A. Gharte, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned P.O. holding for Shri S.D. Dole, learned P.O. for the Respondents. 2. Issue notice before admission returnable on 09.10.2019. 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. Respondents are directed to file short affidavit regarding paragraph 6[H] of the paper book of O.A. 9. S.O. to 09.10.2019. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(I)</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl. MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.754 of 2019</p> <p>V.V. Sawant & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. holding for Ms. N.G. Gohad, learned P.O. for the Respondents.</p> <p>2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 15.10.2019.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl. MAT-F-2 E.

**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

Date : 24.09.2019

O.A.No.675 of 2019

N.B. Deore Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. holding for Shri S.D. Dole, learned P.O. for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad files reply on behalf of Respondents No.1 to 4. The same is taken on record.

3. At the request of learned Advocate Shri A.V. Bandiwadekar adjourned to 16.10.2019 for filing rejoinder.

Sd/-
(A.P. Kurhekar)
Member(J)

Sd/-
(P.N. Dixit)
Vice-Chairman

prk

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
Date : 24.09.2019

O.A.No.614 of 2019

K.R. Hire Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 03.10.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Sd/-

(P.M. Dixit)
Vice-Chairman

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.567 of 2019</p> <p>M.P. Lad & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate holding for Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 03.10.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000-3-2017)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.423 of 2019</p> <p>V.B. Patil & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 23.10.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
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Date : 24.09.2019

O.A.No.1067 of 2017 with M.A.No.487 of 2017

R. R. Kharat Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri V.V. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

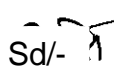
2. Adjourned to 01.10.2019.

Sd/-
(A.P. Kurhekar)
Member(J)

Sd/-
(P.N. Dixit)
Vice-Chairman

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>O.A.No.229 of 2019</p> <p>G.A. Kiture & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri S.S. Dere, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.</p> <p>2. Today during hearing learned Advocate Shri S.S. Dere for the Applicants submits that Respondent No.2, (Principal Secretary, Home Department) is yet yet to file reply.</p> <p>3. Learned C.P.O. Ms. S.P. Manchekar for the Respondents submits that no reply has been filed so far by Respondents No.2 and 3.</p> <p>4. Learned Advocate Shri S.S. Dere for the Applicant submits that relevant paragraph starts from 6.9 to 6.16 and 6.21 of the paper book of O.A., need to be replied.</p> <p>5. Respondents while filing reply should particularly take into account the communication dated 05.03.2019 received from Respondent No.1 (copy whereof is at page 109) and file reply to paragraphs 6.9 to 6.16 and 6.21.</p> <p>6. Learned C.P.O. Ms. S.P. Manchekar submits that she seeks adjournment for two weeks for filing reply on behalf of Respondents No.2 and 3.</p> <p>7. Adjourned to 15.10.2019 for filing reply by Respondents No.2 and 3.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>O.A.No.921 of 2019</p> <p>M.N. Adhari Applicant Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. holding for Ms. N.G. Gohad, learned P.O. for the Respondents. 2. Issue notice before admission returnable on 14.11.2019. 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. The action taken by the Respondents would be subject to outcome of this O.A. 9. S.O. to 14.11.2019. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000-3-2017)

[Spl.- MAT-F-2 E.

**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
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Date : 24.09.2019

O.A.No.790 of 2018 with O.A.No.482 of 2018

V.R. Thok (O.A.790/2018)

R.J. Shelke (O.A.482/2018) Applicants

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. Learned Advocate Shri B.A. Bandiwadekar for the Applicant seeks adjournment of three weeks for filing rejoinder.

3. Adjourned to 17.10.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Sd/-

(P.N. Dixit)
Vice-Chairman

(G.C.P.) J 2959 (A) (50,000—3-2017)

(Spl- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.988 of 2018</p> <p>Smt. S.R. Kale Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri A.S. Tamhane, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents files reply on behalf of Respondents No.1 to 3. The same is taken on record.</p> <p>3. At the request of learned Advocate Shri A.S. Tamhane for the Applicant adjourned to 23.10.2019.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/- (P.V. Dixit) Vice-Chairman</p> <p>prk</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 style="text-align: center;"><u>M.A. No.239 of 2019 in O.A. No.436 of 2019</u></p> <p>B.K. Kalekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.V. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. I.d. CPO files reply on behalf of respondents no.1, 3 & 4 and the same is taken on record.</p> <p>3. I.d. Advocate for the applicant submits that he proposes to file rejoinder. At his request adjourned to 10.10.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgj)</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><u>O.A. No.692 of 2019 with M.A. No.370 of 2019</u></p> <p>G.N. Bagewadikar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.V. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO produces a communication dated 19.9.2019 from the establishment of respondent no.3. She further submits that the consequential benefits would be paid within two months.</p> <p>3. In view of the above, OA as well as MA are disposed off by consent.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgj)</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="824 842 1312 875"><u>M.A. No,512 of 2019 in O.A. No.503 of 2019</u></p> <p data-bbox="748 902 1333 936">S.M. Chavan ..Applicant</p> <p data-bbox="824 936 862 965">Vs.</p> <p data-bbox="748 965 1364 999">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="748 1021 1386 1111">Heard Shri J.N. Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="748 1137 1386 1261">2. This MA is for restoration. L.d. Advocate for the applicant submits his apology for not remaining present. The same is taken on record and the OA is restored to file. MA disposed off accordingly.</p> <p data-bbox="1182 1305 1279 1339">Sd/- :</p> <p data-bbox="1081 1346 1284 1435">(P.N!Dixit) Vice-Chairman (A) 24.9.2019</p> <p data-bbox="748 1435 802 1469">(sgj)</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 style="text-align: center;"><u>O.A. No.503 of 2019</u></p> <p>S.M. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri J.N. Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder and the same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgl)</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 style="text-align: center;"><u>O.A. No.418 of 2017</u></p> <p>S.D. Kharat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On instructions the Ld. Advocate for the applicant submits that the matter is under active consideration of the Hon'ble Supreme Court. He therefore submits that the present case may be kept in sine die list with liberty to both the parties to circulate.</p> <p>3. The matter is kept in sine die list with above liberty.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgl)</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 style="text-align: center;"><u>O.A. No.590 of 2019</u></p> <p>D.K. Pajai ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondent no.1 and the same is taken on record. Ld. CPO submits that she will take instructions whether respondent no.2 proposes to file reply.</p> <p>3. At the request of Ld. Advocate for the applicant adjourned to 23.10.2019.</p> <p style="text-align: right;">Sd/- 1 (P.N(Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgi)</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 style="text-align: center;"><u>O.A. No.624 of 2019</u></p> <p>B.C. Tribhuvan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. I.d. CPO seeks time to file reply.</p> <p>3. S.O. to 9.10.2019.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgl)</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.920 of 2018</u></p> <p>P.L. Naiknaware ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.V. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant was working in the establishment of respondent no.4. The applicant was posted in Pune and transferred to Kolhapur on 2.4.2007. He retired on 31.5.2011. He did not vacate Government accommodation at Pune even after he was transferred outside and till 30.7.2011. For illegal stay in the Govt. accommodation after transfer he was charged penal rent of Rs.4,56,065/-. He challenged the same before this Tribunal in OA No.119/2017. This Tribunal on 2.2.2018 directed that the penal rent which was charged from him should be refunded to him within a period of two months i.e. upto 2.4.2018. The applicant submits that he received the payment on 31.3.2018.</p> <p>3. In this OA the applicant has come with the prayer that he should be given interest @ 12% for the delay in payment.</p> <p>4. I have examined the facts and gone through the affidavit submitted by the respondents. The applicant has failed to satisfy that there is any delay as claimed by him for payment, since the payment has been made within a period of two months by the order of this Tribunal. The judgment cited by the Ld. Advocate for the applicant viz. Vijay L. Mehrotra Vs. State of UP, AIR 2000 SC 3153(2) has different circumstances and therefore the same is not relevant in the present case.</p> <p>5. OA is without any merit and therefore dismissed. No order as to costs.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgj)</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 style="text-align: center;"><u>M.A. No.185 of 2019 in O.A. No.347 of 2019</u></p> <p>P.A. Gangarde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Shinde, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 9.10.2019.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgi)</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 style="text-align: center;"><u>O.A. No.367 of 2019</u></p> <p>A.S. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondent no.1 and the same is taken on record.</p> <p>3. At the request of Ld. Advocate for the applicant adjourned to 10.10.2019.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit) Vice-Chairman (A) 24.9.2019</p> <p>(sgj)</p>

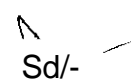
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 : 24.09.2019.</p> <p align="center">O.A.No.250 of 2019</p> <p>G. G. Kamble & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondent submits that reply will be filed during the course of hearing. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 22.10.2019.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019.</p> <p>M. A. No.481 of 2019 in O.A. No.680 of 2019</p> <p>R. B. DhumalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 22.10.2019. 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 M.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, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 22.10.2019. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.888 of 2018 with M.A.No.224 of 2019</p> <p>A.S. Shirsath & Ors. Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri Kaustubh Girh, learned Advocate holding for Smt. Kranti L.C., learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Respondents refer to the Government Resolution dated 03.07.1999 on which case is based. Learned C.P.O. Ms. S.P. Manchekar for the Respondents would instruct the Respondents to produce the contents of the same.</p> <p>3. Adjourned to 17.10.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

(Spl.- MAT-F-2 E.

**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
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Date : 24.09.2019

O.A.No.1001 of 2018 with O.A.No.923 of 2018 with
O.A.No.1023 of 2018

P.M. Koli (O.A.1001/2018)

S.M. Nilkanth (O.A.923/2018)

A.A. Bagwan & Ors. (O.A.1023/2018) Applicants

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Shri B.V. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. At the request of learned Advocate Shri B.V. Bandiwadekar for the Applicants adjourned to 09.10.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Sd/-

(P.N. Dixit)
Vice-Chairman

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>O.A.No.312 of 2019 with O.A.No.355 of 2019</p> <p>D.P. Koli (O.A.No.312/2019) N.D. Apte & Ors. (D.A.355/2019) Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned C.P.O. for the Respondents. None for the Applicants.</p> <p>2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 03.10.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 24.09.2019</p> <p>D.A.No.876 of 2019</p> <p>B.P. Kamble Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents submits that the Applicant belongs to Amravati and therefore the same needs to be adjudicated before appropriate Bench.</p> <p>3. Registrar is directed to place the matter before Hon'ble Acting-Chairman, for further decision.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>O.A.No.40 of 2019 with O.A.No.41 of 2019 (Subject : Appointment)</p> <p>M.C. Patil (O.A.40/2019) P.D. Omase (O.A.41/2019) Applicants Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Ms. S.P. Manchekar, the learned C.P.O. for the Respondents and Shri S.S. Dere, the learned Advocate for the Respondents No.4 & 5.</p> <p>2. Applicants as well as learned Advocate for the Applicants are absent. No intimation from the Applicants has come forth.</p> <p>3. Learned C.P.O. Ms. S.P. Manchekar for the Respondents submits that one Shri Uttam K. Kamble, Assistant Desk Officer, is present in person from the office of Respondent No.2 (M.P.S.C.) with communication. The same is taken on record and marked as 'X' for the purpose of identification. In the said list the Applicants name Omase Pradhnya Dadasaheb is figuring at 468 and Patil Monali Chandrakant is figuring at 647.</p> <p>4. Applicants are figuring in the list of eligible candidates for recommendation of revised list on 09.09.2019. As the prayer made by the Applicants has become infructuous, O.A. is disposed of accordingly.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

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Date : 24.09.2019

O.A.No.190 of 2019

S.S. Mohare (Khankar) Applicant

Versus

The State of Maharashtra & Ors. Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.

2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents seeks adjournment for filing reply.

3. Adjourned to 10.10.2019, by way of last chance.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Sd/-

(P.N. Dixit)
Vice-Chairman

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>O.A.No.933 of 2019</p> <p>P.D. Gosavi Applicant Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents. 2. Issue notice before admission returnable on 20.11.2019. 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 20.11.2019. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(P.N. Dixit) Vice-Chairman</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 24.09.2019</p> <p>C.A.No.41 of 2019 in O.A.No.76 of 2018</p> <p>N.P. Waghmare Applicant Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents. 2. Issue notice before admission returnable on 21.11.2019. 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 C.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, Contempt Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 21.11.2019. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) (P.N. Dixit) Member(J) Vice-Chairman</p> <p>prk</p>

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(Presenting Officer.....)

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	<p>Date : 24.09.2019</p> <p>O.A.No.807 of 2019</p> <p>A.M. Samindar Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents seeks adjournment for filing reply.</p> <p>3. Adjourned to 10.10.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

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versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p>Date : 24.09.2019</p> <p>O.A.No.618 of 2019</p> <p>S.S. Sawant Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents seeks adjournment for filing reply.</p> <p>3. Adjourned to 01.10.2019.</p> <p>Sd/- _____ Sd/- _____ (A.P. Kurhekar) (P.N. Dixit) Member(J) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

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	<p>Date : 24.09.2019</p> <p>O.A.No.781 of 2019</p> <p>B.K. Bansode Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents submits that reply on behalf of Respondent No.1 needs to be filed and would be able to do so within three weeks. However, we are inclined to give two weeks more but reply should be filed on the next date.</p> <p>3. Learned Advocate Smt. Punam Mahajan for the Applicant objects for the same and submits that the fundamental rights of the Applicant has been violated and therefore the matter needs to be heard urgently.</p> <p>4. Respondents are directed to file reply on 13.11.2019. There will be no extensions.</p> <p>5. Adjourned to 13.11.2019.</p> <p style="text-align: center;">Sd/- _____ (A.P. Kurhekar) Member(J)</p> <p style="text-align: right;">Sd/- _____ (P.N. Dixit) Vice-Chairman</p> <p>prk</p>

(G.C.P.) J 2959 (A) (50,000—3-2017)

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versus

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	<p><u>24.09.2019</u></p> <p><u>O.A 935/2009</u></p> <p>Shri H.Y Shewale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.</p> <p>2. As per the Original Application is concerned, learned advocate for the applicant mentions that the issue of interim relief should be taken up. However, the Original Application has no mention regarding interim relief.</p> <p>3. Therefore, request for interim relief made by the learned advocate for the applicant is rejected.</p> <p>Sd/- (A.P Kurhekar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>24.09.2019</u></p> <p><u>M.A 509/2019 in O.A 935/2009</u></p> <p>Shri H.Y Shewale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This Misc Application is filed to sue jointly. Learned P.O has no objection for the same.</p> <p>3. In view of the above, Misc Application to sue jointly is allowed as the issues involved is the same and subject to payment of court fees, if not already paid.</p> <p>Sd/- (A.P Kurhekar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Alm</p>

(Advocate)

versus

The State of Maharashtra and others

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	<p data-bbox="841 570 1068 603">Date : 24.09.2019</p> <p data-bbox="1057 630 1308 663">O.A.No.939 of 2019</p> <p data-bbox="841 703 1495 814">G.S. Sable Applicant Versus The State of Maharashtra & Ors. Respondents</p> <ol data-bbox="841 864 1526 2090" style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for the Respondents.2. Issue notice before admission returnable on 10.10.2019.3. 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. <p data-bbox="1429 2090 1518 2178">2/20</p>

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. Reply be filed particularly for paragraphs 6.21.1, 6.21.3, 6.21.4, 6.21.5, 6.21.7 and 6.21.8.

9. Respondents No.1 and 2 are directed to file their short affidavit on the above points.

10. Adjourned to 10.10.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

Sd/-

(P.N. Dixit)
Vice-Chairman