

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date : 25.04.2019

O. A. No. 431 of 2019

T.B. Borate

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. In the present O.A. is challenged to the transfer order dated 20.04.2019 whereby the Applicant (A.P.I.) has been transfer from Dhue Road to Kokan Range.

3. In fact earlier applicant had filed O.A. 170/19 challenging transfer order dated 21.02.2019. Whereby she was transferred from Dehu Road to Kokan Range. In that O.A. tribunal did not grant interim relief and therefore applicant has filed W.P. No. 2894/2019 before Hon'ble High Court which decided on 04.07.2019. In pursuance to observations made by Hon'ble High Court, respondent cancelled earlier transfer order dated 20.02.2019 and again issued fresh order dated 20.04.2019 on approval of PEB and again applicant has been transferred to Kokan range. It is on this background Applicant has again filed O.A. At this stage I am not inclined to grant interim relief and issue of interim relief is kept open.

4. Issue notice before admission returnable on 02.05.2019.

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

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

Tribunal's orders

6. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

9. 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.

10. S.O. to 02.05.2019.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

NMN

Case/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

Date : 25.04.2019

O. A. No. 319 of 2019

R.P. PimpalgaonkarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. In the present O.A. challenge is to the order dated 21.01.2019, whereby the applicant was promoted to office of Superintendent and posted at Solapur. He seems to be interested in getting promotional posting at Pune and on health ground insisting for posting at Pune. Basically the impugned order being of promotion it should not have been subject matter of challenge. Anyway as the applicant did not join at Solapur, Respondent posted someone else on the said post.

3. On the above background learned counsel for applicant sought promotion to withdraw O.A. with permission to make representation to the respondent for posting him on promotion at Pune.

4. In view of the above O.A. needs to be disposed of. O.A. is disposed as withdrawn. Applicant is at liberty to make representation which respondent may consider in accordance to rules. No order as to costs.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

NMN

**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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2019</p> <p align="center">O. A. No. 147 of 2019</p> <p>S.J. DeshpandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P. Mahajan, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. limited prayer is for direction to decide representation dated 16.07.2018 made by the applicant for absorption in services. He is working on the post of Muster Assistant and made various representations for absorption but in vain. Ultimately he has filed this O.A. for direction. He has also tendered copy of representation dated 16.07.2018 address to the Chief Secretary.</p> <p>3. In view of above O.A. is disposed of with direction to the respondent to consider the representation dated 16.07.2018 within three months in accordance to law.</p> <p>4. Decision, as the case may be, shall be communicated to the applicant within two weeks thereafter. If applicant felt aggrieved by the decision, he is at liberty to take recourse of law as permissible.</p> <p>5. No order as to costs.</p> <p align="right">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. 24 of 2018

IN

Original Application No. 159 of 2017

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date : 25.04.2019

R.A.No.24 of 2018 in O.A.No.159 of 2017

S.S. Mane Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. At the request of learned Advocate Shri M.D. Lonkar for the Applicant adjourned to 06.06.2019.

DATE: 25/4/2019

CORAM:

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

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

APPEARANCE:

Shri M.D. Lonkar

Advocate for Applicant

Shri / Smt. S.P. Manchekar

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

Adj. To 06/2019

Sd/-

(P.N. Dixit)
Member(A)

prk

Sd/-

(A.H. Joshi)
Chairman

[Handwritten signature]

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

Tribunal's orders

Date : 25.04.2019

O.A.No.423 of 2018 with M.A.No.228 of 2019

V.B. Patil & Ors. Applicants
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicants and Smt. Archana B.K., the learned P.O. for the Respondents.

2. Issue notice before admission returnable on 10.06.2019.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 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 10.06.2019.

Sd/-

(P.N. Dixit)
Member(A)

prk

Sd/-

(A.H. Joshi, J)
Chairman

DATE: 25/4/2019

CORAM:

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

APPEARANCE:

Shri/Smt: C.T. Chandratre

Advocate for the Applicant

Shri/Smt: Archana B.K.

C.P.O / P.O. for the Responder t/s

As to Issue notice before
admission returnable on
10/6/2019.

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 25.04.2019

O.A.No.618 of 2018

S. Shinde Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard M/S. S.B. Talekar & Ors., the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. By consent Applicant is allowed amend O.A. to substitute the word 'Sports' appearing at page 23, in prays at fifth line and substitute it by word 'Female'.

DATE: 25/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. M/S. S.B. Talekar & ors.

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

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

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

prk

By consent Applicant is allowed amend O.A. to substitute the word 'Sports' appearing at page 23, in prays page at fifth line and substitute it by word 'Female'.

prk

**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: 25/4/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p>APPEARANCE: Smt. Punam Mahajan Ld. Adv. for the app. Ms. S.P. Manchekar for the Respondents</p> <p>Ad. To: 11/6/2019</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 25.04.2019</p> <p>O.A.No.248 of 2019</p> <p>Y.R. Gaikwad Applicant Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the 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 time is granted for filing affidavit-in-reply.</p> <p>3. S.O. to 11.06.2019.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>prk</p>

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

Tribunal's orders

Date : 25.04.2019

O.A.No.506 of 2018 with O.A.No.683 of 2018

U.J. Marathe & Ors. Applicants
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri U.V. Bhosale, the learned Advocate with Shri M.D. Lonkar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Issue notice before admission returnable on 12.06.2019.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 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 12.06.2019.

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

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

DATE: 25/4/2019

CORAM:

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

APPEARANCE:

Shri/Smt. U.V. Bhosale & M.D. Lonkar
with Shri M.D. Lonkar
Advocate for the Applicant

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

Adi. To: Issue notice before
admission returnable on
12/6/2019.

12/7
Bk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 25.04.2019

M.A.No.222 of 2019 in O.A.No.506 of 2018

U.J. Marathe & Ors. Applicants
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Shri U.V. Bhosale, the learned Advocate with Shri M.D. Lonkar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned C.P.O. for the Respondents.

2. Accepting the grounds and reasons contained in M.A.No.222/2019, M.A. is allowed.

DATE: 25/4/2019

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

APPEARANCE:
Shri/Smt. U.V. Bhosale & Mr. M.D. Lonkar
Adv. with Shri M.D. Lonkar
for the Applicant
Shri/Smt. S.P. Manchekar
C.P.O./P.O. for the Respondent/s

Adv. Ld.
Ld.

Ad. To: MA No. 222/2019 is allowed.

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

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

prk

[Handwritten mark]

(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 M.A. No.407 of 2018 in O.A. No.725 of 2018
<p>DATE: <u>25/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P. N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>C. T. Chandratre</u> Advocate for the Applicant Shri/Smt. <u>S. P. Manchekar</u> Ld. C.P.O. / P.O. for the Respondent/s</p> <p>Adj. To..... <u>11/6/2019</u></p> <p style="text-align: right;"><i>File</i></p>	<p>Dr. B.B. Birajdar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO mentions that respondents propose to file reply in the MA regarding delay. She seeks adjournment till 11.6.2019.</p> <p>3. S.O. to 11.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgj)</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.385 of 2019
<p>DATE: <u>25/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE: <u>Applicant</u></p> <p>Shri/Smt.: <u>Advocate and Advocate</u> for the Applicant are absent.</p> <p>Advocate for the Applicant</p> <p>Shri/Smt.: <u>S.P. Manchekar</u></p> <p>Ld. C.P.O./ P.O. for the Respondent/s</p> <p>Adt. To..... <u>3/5/2019</u></p> <p style="text-align: right;"><u>[Signature]</u></p>	<p>S.S. Kadam & Ors. ..Applicants</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that though the order has been issued on 15.4.2019, copy of the OA has not been served on the respondents.</p> <p>3. Ld. Advocate for the applicant is directed to serve copy of the OA forthwith and report progress.</p> <p>4. S.O. to 3.5.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</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.108 of 2019
<p>DATE: <u>25/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P. N. Dixit</u> (Member) A</p> <p>APPEARANCE: Shri. <u>B. A. Bandiwadkar</u> <u>S. P. Manchekar</u> Ld. C.P.O./Adv. for Respondents No.1. Shri Kiran Maloker Ld. Adv. for <u>holding for Shri K.P.</u> Mahalle, Ld. Adv. for R. No. 2 & 3. S.O. to 25/4/2019.</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>A.N. Mahamuni ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.1 and Shri Kiran Maloker, learned Advocate holding for Shri K.P. Mahalle, learned Advocate for Respondents No.2 & 3.</p> <p>2. Ld. Advocate for the applicant seeks adjournment for filing rejoinder.</p> <p>3. S.O. to 2.5.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</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.122 of 2019
<p>DATE: 25/4/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p>APPEARANCE Shri/Smt. C. T. Chandratre Advocate for the Applicant Shri/Smt. K. S. Gaikwad C.P.O / P.O for the Respondent's</p> <p>Adj. To..... 25/4/2019 at the request of Ld. PO</p> <p style="text-align: right;">P.N. Dixit</p>	<p>S.N. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions from Shri Yogesh Murlidhar Kunjir, Senior Clerk from the office of respondent no 2 mentions that step by step table will be prepared indicating specific period required for completing the process as done earlier.</p> <p>3. At the request of Ld. PO adjourned to 2.5.2019</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgj)</p>

D.B. Dhawale ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri V.A. Nagrani, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant expresses his apology for remaining absent earlier.
3. Ld. Advocate for the applicant seeks leave to enclose documents received by him under the RTI, in the OA during the course of the day. Leave granted.
4. Issue notice returnable on 6.6.2019 after carrying out the amendment.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
6. 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.
7. 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.
8. 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.
9. 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.

DATE: 25/4/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt. V.A. Nagrani

Ld. Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Ad. To: Issue notice for returnable on 6/6/2019 after carryin out the amendment

file

Sd/-

(P.N. Dixit)
 Member (A)
 25.4.2019

(sgl)

(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>O.A. No.173 of 2019</u>
<p>DATE: <u>25/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P.N. DIXIT</u> (Member) A</p> <p>Applicant: Shri <u>U.V. Bhasale</u></p> <p>Respondent: Shri <u>S.P. Manchekar</u> Ad. C.P.O. P.O. for the Respondent:</p> <p>Ad. To <u>3/6/2019</u></p> <p style="text-align: right;"><i>Bh</i></p>	<p>S.N. Naik & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhasale, learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks four weeks time to file reply as per instructions from respondent no.1.</p> <p>3. S.O. to 3.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</p>

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.1104 of 2016 with M.A. No.507 of 2016
(OA St.1287/14 with MA.17/15-Aurangabad)

R.S. Pawar

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Ms. S.P. Manchekar, learned Chief Presenting
Officer for Respondents No.1 to 3 and Shri G A
Bandiwadekar, learned Advocate for Respondent No.4

2. Applicant has submitted a note dated 24.4.2019
seeking adjournment.

3. S.O. to 3.6.2019.

DATE:

25/4/2019~~COPIES~~

Hon. Mr. Justice A. V. Joshi (Chairman)

Hon. Mr. Justice P. N. Dixit (Member) A

APPEARANCE

Leave note of Appl. taken
on record.

Advocate for Applicant

S.P. Manchekar

Ld. Clerk to the Bench

Ad. To: 3/6/2019*File*

Sd/-

(P.N. Dixit)
Member (A)
25.4.2019

(sgj)

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders O.A. No.988 of 2018 with M.A. No.39 of 2019</p>
<p><u>DATE:</u> 25/4/2019 <u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P.N. Dixit (Member) A <u>APPEARANCE:</u> Shri A.S. Tamhane Ld. Advocate for Applicant Shri S.P. Manchekar Ld. C.F.O. for Respondents Adi. To: 21/6/2019</p> <p style="text-align: right;">B/D</p>	<p>S.R. Kale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.S. Tamhane, learned Advocate for Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that reply in OA and MA would be filed within four weeks. She seeks time till 21.6.2019.</p> <p>3. S.O. to 21.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</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 <u>O.A. No.85 of 2019</u>
<p>DATE: <u>25/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. V. Joshi (Chairman)</p> <p>Hon'ble Shri <u>P. N. Dixit</u> (Member) A</p> <p>APPEARANCE:</p> <p>Shri <u>Sonali Humane, Ld. Adv.</u> <u>holding for Ms. Ranjana Todankar</u></p> <p>Shri <u>Archana B.K.</u> C.P.O. for the Respondent/s</p> <p>Adj. To: <u>6/6/2019</u></p> <p style="text-align: right;"><i>Y.K.</i></p>	<p>A.V. More ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sonali Humane, learned Advocate holding for Ms. Ranjana Todankar, learned Advocate for Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant seeks adjournment for enclosing relevant papers including GR in the matter</p> <p>3. S.O. to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</p>

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders M.A. No.455 of 2018 in O.A. No.649 of 2018</p>
<p>DATE: <u>25/4/2019</u> CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P.N. DIXIT</u> (Member) A APPEARANCE: Shri/Smt. <u>G.B. Solanke</u> Ld. Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> Lt. C.P.O./ P.O. for the Respondent/s Adj. To..... <u>Ld. Advocate for the</u> <u>applicant mentions that- he has</u> <u>not * moved the office of</u> <u>Hon'ble chairman as per the</u> <u>order issued on 5/9/2018.</u> <u>He seeks leave to do so.</u> <u>Leave granted.</u> <u>B.P.</u></p>	<p>P.V. Karne & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.B. Solanke, learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that he has not moved the office of Hon'ble Chairman as per the order issued on 5.9.2018. He seeks leave to do so.</p> <p>3. Leave granted.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sg)</p>

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>O.A. No.438 of 2018</u>
<p><u>DATE:</u> 25/4/2019</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p><u>APPEARANCE:</u> Shri B. R. Deshmukh Advocate for Applicant Shri S. P. Manchekar C.P.O. for the Respondent/s</p> <p>Adj. To 26/4/2019 for reporting progress.</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>D.B. Bamane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.R. Deshmukh, learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO on instructions from Shri Sailesh R. Patankar, Chief Administrative Officer, Director of Health Services, Mumbai, on behalf of Respondent no.3 submits that a proposal in proper format has been received and examined. She further submits that same would be submitted to respondent no.1 during the course of the day.</p> <p>3. S.O. to 26.4.2019 for reporting progress.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgl)</p>

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>O.A. No. 119 of 2019</u>
<p>DATE: <u>25/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Justice <u>P. N. Dixit</u> (Member) A</p> <p>APPEARANCE:</p> <p>Shri <u>B. R. Deshmukh</u></p> <p>Advocate for Applicant</p> <p>Shri/Smt <u>K. S. Gaikwad</u></p> <p>C.P.O./ P.O. for Respondent/s</p> <p>Adj. To. <u>26/4/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>A.T. Sakore ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondent</p> <p>Heard Shri B.R. Deshmukh, learned Advocate for Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3 & 5 and Shri B.A. Bandiwadkar, learned Advocate for Respondent No.4.</p> <p>2. Ld. PO states that respondent no.2 would be available with necessary papers. She further mentions that inspection of the same would be made available to the learned Advocate for the applicant accordingly. Ld. PO mentions that she would ask the respondents to expedite and reply would be filed.</p> <p>3. S.O. to 26.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 25.4.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Writ Petition/A.C.A. No. _____ of 20 _____

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Caram,
appearance, Tribunal's orders or
objections and Registrar's orders

Date: 25.04.2019 Tribunal's orders

O. A. No.1013 of 2018 with 18 of 2019

S.A. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Applicant in Person and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. This matter was P.H. on last date but on the request of learned P.O. to produce documents in support of report which is at page 27 of paper book.
3. Matter pertains to recovery of Rs. 1,12,560/- from the retirement benefits of the applicant for alleged unauthorized use of Government Vehicle. The Applicant contends that he was entitled to use Government Vehicle, and therefore, recovery is illegal.
4. Whereas Respondent contends that applicant has used Government Vehicle for private use and therefore charges at the Rate of Rs. 12/km were levied and accordingly Rs. 1,12,560/- has been rightly recovered from retrial benefits of the Applicant.
5. During the course of hearing it was transpired that the Respondent has not produced Logbook to show alleged misuse of the Government Vehicle by the Applicant as well as correctness of the mileage shown in the report letter at page 27.
6. However, today learned P.O. submitted that due to General Elections, the record could not be produced, and sought time to produce the same.
7. S.O. to 02.05.2019 with O.A. 18/19.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

SLA/P.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
intimations and Registrar's orders

Tribunal's orders

Date : 25.04.2019

O.A.No.109 of 2019

V.M. KhandareApplicant.

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. Archana B.K. for the Respondents made as statement that affidavit-in-reply will be filed during the course of day.

3. Statement is accepted. It is taken on record. Adjourned to 04.06.2019 for hearing at the stage of admission.

Sd/-

(A.P. Kurhekar)
Member(J)

prk

25/4/19

Replies Billed by

R. NO. 21

25/4/19

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Writ Petition/C.A. No. _____ of 20____

IN

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

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

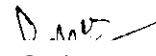
Tribunal's orders

Date : 25.04.2019

O. A. No. 97 of 2019

A.H. ChandekarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.B. Kadam, the learned Advocate holding for Shri P.V. Patil, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the Learned Presenting Officer, holding for Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Learned P.O. has filed Sur-Rejoinder on behalf of Respondent No. 2 & 3, as well as she has also filed Affidavit-in-reply on behalf of Respondent No. 2 & 3 to the amended O.A.. It is taken on record.
3. Adjourned for Hearing on 03.06.2019.


Sd/-

(A.P. KURHEKAR)
MEMBER (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MA/PA/CA No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or deletions and registrar's orders	Tribunal's orders
	<p>Date : 25.04.2019</p> <p>O.A.No.8 of 2019</p> <p>M.D. SorteApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. As the pleadings are completed, the matter is admitted and adjourned for final hearing on 14.06.2019.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</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 : 25.04.2019</p> <p style="text-align: center;">M.A.No.580 of 2018 in O.A.No.1060 of 2017</p> <p>S.S. CharankarApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Prashant Suryawanshi, the learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In O.A.No.1060 of 2017 the Applicant has challenged the order of punishment imposed in departmental proceedings by virtue of order passed by Hon'ble Minister in August 2013 (no specific date is mentioned in the order). As there was delay in filing the O.A. from the date of passing of impugned order the Applicant has filed M.A.No.580/2018 for condonation of delay.</p> <p>3. However, the Respondents in their reply to M.A.No.580 of 2018 comes with the stand that order impugned by the Applicant in O.A.No.1060 of 2017 is not a final order but the final order has been passed by Government on 01.01.2016 after consultation with M.P.S.C.</p> <p>4. Respondents have also produced copy of order dated 01.12.2016. Thus it seems that the final order passed by the Government is dated 01.01.2016. Therefore Applicant is required to amend the O.A. so as to challenge order dated 01.01.2016 which has been produced by the Respondents in M.A.</p> <p>5. Learned Advocate for the Applicant submits that there is no service of order dated 01.01.2016 on his client and for the first time it came on record in M.A.</p> <p>6. On the above background, the learned Advocate seeks permission to amend the O.A. so as to challenge the order dated 01.01.2016. Permission granted. Amendment by carried out within two weeks. Adjourned to 03.05.2019.</p> <p style="text-align: center;">Sd/- * (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./O.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Comm. appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2019</p> <p>M.A.No.579 of 2018 in O.A.No.1059 of 2017</p> <p>S.S. CharankarApplicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Prashant Suryawanshi, the learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant seeks permission to withdraw M.A.No.579 of 2018 as well as O.A.No.1059 of 2017 on the ground that the subject matter of this O.A. is already covered in O.A.No.1060 of 2017. He therefore does not want to continue these proceedings.</p> <p>3. Allowed to withdraw M.A. as well as O.A. In view of the above, M.A. and O.A. are disposed of.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./P.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 Applications and Registrar's orders	Tribunal's orders
	<p>Date : 25.04.2019</p> <p>O.A.No.294 of 2019</p> <p>R.G. Shendge ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents filed affidavit-in-reply on behalf of Respondent No.2.</p> <p>3. Adjourned to 04.06.2019 for hearing at the stage of admission. H.O.B.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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>Date : 25.04.2019</p> <p>O. A. No. 759 of 2018</p> <p>Dr. S.M. KaulApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.N. Kamble, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Respondent has already filed Affidavit-in-Reply.</p> <p>3. As the pleadings are completed, O.A. is admitted and adjourned for Final hearing on 20.06.2019.</p> <p style="text-align: right;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MAHARAJCA 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 : 25.04.2019</p> <p>O.A.No.170 of 2019 (Subject : Transfer)</p> <p>T.B. BorateApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. challenge was to transfer order dated 21.02.2019, whereby the Applicant has been transferred from Dehu Road Police Station to Konkan Division. However, subsequent development in the matter is that later Respondents have cancelled the order dated 20.02.2019 and issue fresh order on 20.04.2019.</p> <p>3. In view of the aforesaid subsequent development, the learned Advocate sought permission to withdraw the present O.A. with liberty to challenge order dated 20.04.2019.</p> <p>4. Allowed to withdraw the O.A. with liberty to challenge fresh order dated 20.04.2019, if permissible in accordance with law. No order as to costs. O.A. is disposed of.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

Date : 25.04.2019

O.A.No.1091 of 2016

A.G. Phulsange Applicant
Versus
The State of Maharashtra & Ors. Respondents

1. Heard Smt. Punam Manajan, the learned Advocate for the Applicant and Ms. N.G. Sonad, the learned P.O. for the Respondents.
2. Learned Advocate for the Applicant prays for leave to amend to substitute memo of O.A. and entire paper book.
3. Leave to amend for substitution as prayed is granted.
4. Fresh notice after substituted returnable on 02.07.2019.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
6. 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.
7. 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.
8. 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.
9. In case notice is not collected within seven days of 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.

10. S.O. to 02.07.2019.

Sd/-

(P.N. Dixit)
Member(A)

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE: 25/4/2019

Coram - Hon. Shri A.H. Joshi (Chairman)
Hon. Shri P.N. Dixit (Member)

Smt. Punam Manajan, Ld. Adv.
for the appl.

H.G. Sonad
Ld. S.O. / P.O. for the Respondent

fresh notice after
substituted returnable on
2/7/2019.

prk

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

Tribunal's orders

O.A. No.418 of 2019

N.S. Gaikwad .. Applicant
Vs.
The State of Maharashtra & Ors. .. Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 12.6.2019
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.

DATE : 25/4/19

CORAM :

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

APPEARANCE:

Shri. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. S.D. Navale
C.P.O./P.O. for the Respondent/s

Adj./S.O. to 146/19

order passed in
Tribunal column.

o

Sd/-

(A.H. Joshi, J.N)
Chairman
25.4.2019

(sgj)

**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 C.A. No.10 of 2019 in O.A. No.957 of 2011
<p>DATE : <u>25/4/19.</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>A.V. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj.S.O. to <u>26/4/19.</u></p> <p style="text-align: right;"><u>l</u></p>	<p>M.L. Karangale . Applicant Vs. Respondents The State of Maharashtra & Ors.</p> <p>Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to tomorrow for making statement as to total compliance.</p> <p>3. S.O. to 26.4.2019.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, P.) Chairman 25.4.2019</p> <p>(sgj)</p>

**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 O.A. No.291 of 2019
<p>DATE : <u>25/4/19</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>K R Jagdale</u> Advocate for Applicant Shri/Smt. : <u>K S Gaikwad</u> C.P.O./P.O. for the Respondent/s Adj./S.O. to <u>Admn</u></p> <p><u>To come up for final hearing in due course.</u></p> <p><u>R</u></p>	<p>S.V. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit. To come up for final hearing in due course.</p> <p>3. In view of judgment and order dated 5.4.2016 passed by Nagpur Bench of this Tribunal in OA No.798 of 2016 & Ors. (Dr. Rahul K. Talware Vs. The State of Maharashtra & Ors.) [page 46 of OA] interim relief is granted in terms of prayer clause 11, which reads as follows:</p> <p>"11. Pending the hearing and the final disposal of this Application the Respondents be directed to allow the Applicant to continue after 31.5.2019 till his age of 60 years (31.5.2021). forthwith."</p> <p>4. Hamdast and steno copy is granted. Id. PO is directed to communicate this order to the respondents.</p> <p>Sd/- <u>(A.H. Joshi,)</u> Chairman 25.4.2019</p> <p>(sgl)</p>

**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 O.A. No.544 of 2018
<p>DATE : <u>25/4/19</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: <u>Shri D. G. Sadavarte</u></p> <p>As _____ for _____</p> <p>Shri _____ <u>S. P. Manchekar</u> C.P.O. for Respondent/s</p> <p>Adj./S.O. to <u>6.16.19</u> <u>Interim relief to continue</u></p>	<p>V.B. Shende ..Applicant Vs. The State of Maharashtra & Ors. .. Respondents</p> <p>Heard Shri Gunratan Sadavarte, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 2 and Shri A.V. Bandiwadekar, learned Advocate for Respondent No.3.</p> <p>2. Shri Bandiwadekar, Ld. Advocate for Respondent No.3 undertakes to file reply during the course of the day.</p> <p>3. Ld. CPO prays for two weeks time for filing reply.</p> <p>4. S.O. to 6.6.2019. Interim relief to continue.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, Chairman) 25.4.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

MA/R.A./CA. 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 : 25.04.2019</p> <p align="center">O.A.No.942 of 2018 (Subject : Police Patil and Backwages benefits)</p> <p>S.G. MohiteApplicant. Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms. Sonali Humane, learned Advocate holding for Smt. Ranjana Todankar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter the Applicant has challenged suspension order dated 16.01.2015 passed by Respondent No.2. Perusal of suspension order reveals that the Applicant was suspended on the allegations that he takes money from the students for issuance of certificate and also extracting money from the villagers. The appeal filed against the suspension order has been dismissed on 30.06.2016, being aggrieved by it the Applicant has filed present O.A.</p> <p>3. Perusal of O.A. reveals that the Applicant was appointed on the post of Police Patil in October 2012. As per Maharashtra Villagers Police Act 1967 read with order Maharashtra Villagers Police Patil Recruitment, Pay and Allowance and other conditions of service order 1960 the term of Police Patil is 5 years in the first instance and if his work is found satisfactory the appointment is renewable for further term of 5 years at a time. Thus the Applicant has already completed the tenure for the post of Police Patil in 2017.</p> <p>4. Another aspect of the matter is that though the Applicant has been suspended in 2015, no further action is taken by the Respondents to initiate Departmental Enquiry and to take the suspension issue to the logical conclusion.</p>

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	<p>5. Learned P.O. Shri A.J. Chougule for the Respondents submitted that despite his various correspondence to the Respondent No.2 he is not getting any response therefore he could not file reply in the matter.</p> <p>6. In view of the above, though the term of the Applicant has come to end the matter in issue needs to be decided on merit as the Respondents have not taken any steps to initiate the D.E. against the Applicant though the period of more than 5 years is over. Respondent have simply suspended the Applicant without bothering to take further steps for initiation of D.E. Needless to mention that whenever person is kept under suspension departmental enquiry need to be initiated expeditiously and has to be completed latest within one year. In the present matter in view of expiration of term of Police Patil no purpose can be achieved by continuing the Applicant under suspension which has now become redundant.</p> <p>7. In present case inaction and lethargy as well as negligence on the part of Respondents to initiate appropriate departmental proceedings is writ at large. Applicant has been subjected to prolonged suspension without sanction of law.</p> <p>8. In view of the above, suspension deserves to be quashed and accordingly quashed.</p> <p>9. O.A. is allowed with no order as to costs.</p> <p style="text-align: right;">Sd/- " (A.P. Kurhekar) Member(J)</p> <p>prk</p>