

**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 align="center"><u>O.A.627/2019</u></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. By Government order dated 24.10.2019, the suspension of the Applicant was revoked and he is reinstated as Block Development Officer, Panchayat Samiti, Pusad, District : Yavatmal. The said order is under challenge in the present O.A. on the ground that the post of BDO, Panchayat Samiti, Pusad is of selection grade and the Applicant could not have been posted on that post.</p> <p>3. On previous date i.e. on 12.02.2020, the submission was made by the learned P.O. that the matter is under re-consideration before the Hon'ble Chief Minister for modification of posting order, and therefore, two weeks' time was granted.</p> <p>4. However, today, the learned P.O. on instructions from Dr. Vasant Mane, Under Secretary, Rural Development Department submits that till date, no order is passed and the file is pending.</p> <p>5. In view of above, the Respondent No.1 is directed to ensure that appropriate order is passed within a week failing to which, the matter will be taken up for final hearing.</p> <p>6. S.O. to 4th March, 2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 26.02.2020</p> <p>(skw)</p>

C.P.O.

M.A./B.A./C.A. No.

of 20

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FARAD CONTINUATION SHEET NO.

<i>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</i>	<i>Tribunal's orders</i>
	<p>Date: 26.02.2020</p> <p>O.A. No.1083 of 2019 with O.A. No.1086/19, O.A. No.1087/19, O.A. No.1092/19, O.A. No.1093/19 with M.A.621/19 with O.A. No.1094/19 with M.A.622/19 with O.A. No. 1088/19 with O.A. No. 1095/19 with O.A. No. 1112/19 with O.A. No.1212/2019 with O.A. No.1203/2019 with O.A. No.36/2020 with O.A. No. 149/2020.</p> <p>S. A. Waghmare & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosale, Shri M.B. Kadam, and Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicants, Shri K.S. Gaikwad, and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O. two weeks time is lastly granted for filing reply. Interim relief to be continued till next date.</p> <p>3. Learned Advocate for the Applicant pointed that in some cases government had already passed orders of allotment of quarters but in other matters no orders are passed. Whereas, learned P.O. submits that matter is under consideration with the Government.</p> <p>4. In view of above, two weeks time is granted for filing reply and in the meantime Government is expected to take appropriate decision so that all these O.As. can be disposed of expeditiously.</p> <p>5. S.O. to 12.03.2020.</p> <p style="text-align: right;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2020</p> <p align="center">O. A. No. 150 of 2020</p> <p>G.M. AlimApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In terms of direction issued by this Tribunal by order dated 24.02.2020, the learned P.O. has taken instructions from the department and today submits that the appointment orders are going to be issued to the candidates at Sr. No.4 & 5 of the waiting list (Page No.17 of Paper Book) and thereafter the name of the Applicant will be considered who is at Sr. No. 6 in waiting list (Page 17 of the P.B.). He has also tendered a copy of letter dated 25.02.2020 issued by Respondent No.1 to that effect. It is taken on record and marked by letter 'X'. Thus, there is no denying that the name of the Applicant is in waiting list and his name is under consideration, as per availability of the post and seniority in the waiting list.</p> <p>3. In view of above, learned Advocate for the Applicant fairly submits that O.A. can be disposed of.</p> <p>4. Needless to mention that Respondents shall provide appointment to the Applicant in terms of his seniority and subject to eligibility after the appointment are given to candidates who are at Sr. No. 4 & 5.</p> <p>5. O.A. is accordingly disposed of with no order as to cost.</p> <p align="right"> Sd/- _____ (A.P. KURHEKAR) MEMBER (J) </p> <p align="right">[P.T.O.]</p>

(G.C.P.) J 2737 (50,000—4-2019)

(Spl.- MAT-F-2 E.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2020</p> <p>O. A. No. 987 of 2019</p> <p>R.T. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-In-Rejoinder. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.03.2020</p> <p style="text-align: right;">N Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

(G.C.P.) J 2737 (50,000—4-2019)

[Spl.- MAT-F-2 E.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2020</p> <p>O. A. No. 1200 of 2019</p> <p>A.N. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that after filing of this O.A. Applicant had made online submission for allotment of quarter and same quarter which was retained by him has been allotted to him.</p> <p>3. Thus the grievances of the Applicant stands redressed.</p> <p>4. in view of above, O.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- ✓ (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

[P.T.O.]

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	<p>Date: 26.02.2020</p> <p>O. A. No. 961 of 2019</p> <p>R.P. AdisareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the present O.A. the Applicant has challenged suspension order dated 31.07.2019. Learned C.P.O. submits that the issue of revocation of suspension and restatement in service is under consideration before review committee and appropriate decision will be taken soon.</p> <p>3. In view of above, matter is adjourned for two weeks awaiting for the decision from Government.</p> <p>4. S.O. to 12.03.2020.</p> <p style="text-align: center;">Sd/- (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

(G.C.P.) J 2737 (50,000—4-2019)

(Spl.- MAT-F-2 E.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2020</p> <p>O. A. No. 17 of 2020</p> <p>V.S. Ahire & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant filed Affidavit-in-Rejoinder. It is taken on record, adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 26.03.2020.</p> <p>Sd/- ✓ (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 26.02.2020</p> <p>O. A. No. 794 of 2018</p> <p>P.M. KhotApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate both are absent at 04.00 p.m., Heard Smt. Archana B.K., learned Presenting Officer for the Respondents No. 1to4 and Shri R.G. Patil, learned Advocate for the Respondent No.5.</p> <p>2. It appears that Applicant is not interested in the matter, in view of his absence as well as absence of his Advocate.</p> <p>3. O.A. is therefore dismissed in default, no order as to costs.</p> <p>Sd/- Vr (A.P. KURHEKAR) MEMBER (J)</p> <p>NMN</p>

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	<p><u>26.02.2020</u></p> <p><u>O.A 769/2019</u></p> <p>Dr C.A Borase & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Kaustub Gidh i/b Shri Kranti L.C. learned advocate for the applicants and Smt Krant S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O files reply on behalf of Respondents no. 1 to 4. Same is taken on record.</p> <p>3. Learned advocate for the applicants states that matters may be tagged with O.A 690/2018, 947/2018, 1087/2018, 1052/2019, 1053/2019 & 1054/2019 which is kept on 15.4.2020.</p> <p>4. Admitted. Place for final hearing on 15.4.2020 along with O.A 690/2018, 947/2018, 1087/2018, 1052/2019, 1053/2019 & 1054/2019.</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 align="center"><u>26.02.2020</u></p> <p align="center"><u>M.A 02/2020 in O.A 03/2020</u></p> <p>Smt R.K Mundhe & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned advocate for the applicant mentions that he may be permitted to change the impugned order as the same does not pertain to the O.A. He seeks one week for the same.</p> <p>3. As per his request, adjourned to 3.3.2020.</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhakar) Member (J)</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>26.02.2020</u></p> <p><u>M.A 337/2017 in O.A 35/2017</u></p> <p>S.A Adake ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Both M.A and O.A to be placed for final hearing on 5.3.2020</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>26.02.2020</u></p> <p><u>C.A 50/2019 In O.A 846/2003 with O.A 389/2001</u></p> <p>V.A Pawar & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O produces communication dated 26.2.2020 complying with the orders of this Tribunal and thereby providing final seniority list.</p> <p>3. In view of the same the C.A is disposed of accordingly.</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>26.02.2020</u></p> <p style="text-align: center;"><u>O.A 38/2020</u></p> <p>Dr S.J Jogdand ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Abhijeet Pawar holding for Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks one weeks' time for filing reply.</p> <p>3. Adjourned to 12.3.2020</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p>Aln</p>

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	<p><u>26.02.2020</u></p> <p><u>O.A 1027/2019</u></p> <p>L.D Surnar ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale holding for Shri R.H Patil, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks two weeks for filing reply.</p> <p>3. Adjourned to 26.3.2020.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>26.02.2020</u></p> <p><u>O.A 1208/2019</u></p> <p>V.B Chauhan ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant files rejoinder to the affidavit filed by Respondent no. 2.</p> <p>3. Admitted for final hearing on 24.3.2020.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhedar) Member (J)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>26.02.2020</u></p> <p><u>O.A 971/2019</u></p> <p>R.P Gaikwad & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Shri A.J Chougule, with Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicants files rejoinder in O.A 1019 & 1022/2019. Same is taken. In the remaining matters, he states that rejoinder would be filed during the course of the day.</p> <p>3. Admitted for final hearing on 31.3.2020.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Akn</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

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	<p align="center"><u>26.02.2020</u></p> <p align="center"><u>O.A 34/2020</u></p> <p>S.B Salunke ... Applicant</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondents no 1 to 4 and Shri A.V Bandiwadekar, learned advocate for Respondent no. 5.</p> <p>2. Learned P.O tenders communication dated 26.2.2020. Same is taken on record and marked as 'X'. Learned P.O further mentions that decision would be taken within a period of four weeks.</p> <p>4. Accordingly, matter is placed on 26.3.2020. No further extension would be granted.</p> <p>5. S.O to 26.3.2020. Hamdast is granted.</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhekar) Member (J)</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 72 OF 2020

DISTRICT : PUNE

Shri Raju R Wagh)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

Shri Arvind V. Bandiwadekar, learned advocate for the Applicant.

Ms Archana B.K, learned Presenting Officer for the Respondents.

CORAM : **Shri P.N Dixit (Vice-Chairman) (A)**
Shri A.P Kurhekar (Member)(J)

DATE : **26.02.2020**

PER : **Shri A.P Kurhekar (Member)(J)**

ORDER

1. Heard Shri Arvind V. Bandiwadekar, learned advocate for the Applicant and Ms Archana B.K, learned Presenting Officer for the Respondents.

2. The applicant has filed the present Original Application to quash and set aside the charge sheet dated 29.8.2019 issued against him under Rule 8 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 alleging misconduct.

3. Learned advocate for the applicant prayed for interim relief to stay the proceedings of Departmental Enquiry.

Kurhekar

4. The applicant was initially appointed on the post of Clerk on compassionate grounds in 1996. He joined on 19.12.1996 and thereafter promoted to the post of Excise Sub-Inspector. Presently, the applicant is serving as Excise Sub-Inspector.

5. Before his entry in service, Crime No. 27/1996 under Sections 406, 408, 409, 420, 120(B) of IPC was registered against him and Criminal Case no. 383/1996 was also filed in the Court of Judicial Magistrate, First Class, Ahmednagar.

6. Learned Counsel for the applicant sought interim relief on the ground that earlier on three-four occasions the complaint made by third person about registration of crime against the applicant was closed without initiating any further D.E. Therefore, now the Department should not be allowed to proceed with the D.E which is initiated in terms of charge sheet dated 29.8.2019. He further submitted that the applicant was not called upon to make any declaration of the registration of crime against him, and therefore, the question of suppression of registration of crime did not arise. He, thus submits that initiation of Departmental Enquiry after 24 years is not permissible. On this line of submission, learned counsel for the applicant prayed for interim relief to stay proceedings of D.E.

7. Per contra, learned Presenting Officer opposed the grant of interim relief contending that it will be appropriate to proceed with the D.E and no case is made out to stay the D.E.

8. Thus what transpires from the submission and documents on records that admittedly offence under Sections 406, 408, 409, 420, 120(B) of IPC was registered the applicant vide Crime No. 27/1996 and Criminal Case No. 383/1996 was also filed against him and the same was subjudice at the time of his entry in service. Admittedly, the criminal case is still pending in the Court of Judicial Magistrate, First Class, Ahmednagar.

9. It appears that without verification of the character of the applicant and his antecedents, applicant was appointed on the post of Clerk though it was necessary on the part of the department to obtain character certificate. It appears that as the applicant was appointed on compassionate ground, the said aspect was skipped by the department and applicant was continued in service without verification of his antecedents.

10. Be that as it may, now the important question is whether Departmental Enquiry can be stayed.

11. True, earlier three private persons, namely, Shri Arun S. Bable, Shri Santosh R. Dukre and Shri Sunil L. Dayma, had made complaint against the applicant. In so far as complaint made by Shri Arun S. Bable is concerned, record reveals that he withdrew his complaint and therefore, it was closed by the department by order dated 16.3.2013. Second complaint made by Shri Santosh R. Dukre, was also closed as he too withdrew his complaint. Thus these complaints were withdrawn in 2013 by the complainant and therefore, department did not proceed further. Later, one Shri Sunil L. Dayma also made similar complaint that applicant has suppressed the fact of registration of crime against him on 27.4.2017.

12. Thereupon, show cause notice was issued to the applicant to which he submitted his reply. The applicant had also challenged show cause notice by filing O.A 209/2019, which was disposed of on 14.3.2019 by following order:-

“2. It shall meet ends of justice if Original Application is disposed of with direction that if adverse order is passed against the applicant pursuant to impugned show cause notice, it shall remain in abeyance for 6 weeks from actual date of service on applicant as hereinafter.

3. A date be fixed by the competent authority for passing order on which date and place applicant shall remain present and collect the copy of order unless applicant furnishes email, address and order is sent to the applicant on his email address by email.”

W. K. K.

13. On the above background, the Department has now initiated regular Departmental Enquiry against the applicant by issuing charge sheet dated 29.8.2019 alleging that applicant has committed misconduct in view of registration of Crime against him.

14. It is for the first time now regular D.E is initiated against the applicant. Earlier, the complaints made by three persons were withdrawn by them and therefore, no further D.E was initiated. However, this by itself cannot be a ground to stay D.E proceedings as for the first time by issuance of charge sheet dated 29.8.2019 D.E has been initiated against the applicant. There is no denying that offence was registered against the applicant when he entered into service. As such, even if the registration of crime is of the year 1996, the D.E is initiated for the first time by issuance of charge sheet on 29.8.2019.

15. True, there is delay in initiating D.E against the applicant. But that by itself cannot be a ground to stay the D.E. As the D.E is initiated recently, it must be taken to its logical conclusion in view of the admitted position of registration of crime against the applicant.

16. Reliance placed by the learned counsel for the applicant on the decision of this Tribunal in O.A 245/2016 at this stage is misplaced, as this judgment relate to the quashing of D.E, where the charge was found lacking in merit and laconic.

17. Learned counsel for the applicant further referred to the decision of the Hon. Supreme Court in State of Andhra Pradesh Vs. N. Radhakrishan, AIR 1998 SC 1833, which is discussed in O.A 245/2016. Indeed, Hon. Supreme Court made it clear that it is not possible to lay down any pre-determined principles applicable to all cases and in all situations where there is delay in concluding the disciplinary proceedings can be said fatal. Hon. Supreme Court further held that Court or Tribunal needs to balance diverse consideration and mere delay itself cannot be a ground to quash the D.E. This judgment pertains to delay in completion of D.E, whereas in the present case D.E is initiated, recently

by issuance of charge sheet dated 29.8.2019. Having regard to the nature of charge and its impact in general it would not be appropriate to stay D.E. Disciplinary proceeding needs to be continued in the interest of administration and probity in public life.

18. This being the position, in our considered opinion, department must be given liberty to proceed with the D.E in accordance with law. We, are therefore, not inclined to grant stay to the Departmental Enquiry.

19. In view of the above, the prayer of the applicant for stay to the Departmental Enquiry is rejected.

20. S.O to 19.3.2020.

Sd/-

(A.P Kurhekar)
Member (J)

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Place : Mumbai
Date : 26.02.2020
Dictation taken by : A.K. Nair.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>26.02.2020</u></p> <p align="center"><u>M.A 115/2020 in O.A 1192 /2019</u></p> <p>Shri P.P Gade & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Deshmukh with Shri V.P Potbhare, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks two weeks' time for filing reply in M.A as well as O.A, as there is reference to judgment of the Hon. High Court, Bombay.</p> <p>3. S.O 19.3.2020.</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhekar) Member (J)</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.02.2020</u></p> <p><u>O.A 78/2015, 79/2015 & 80/2015</u></p> <p>D.T Patil [O.A 78/2015] V.D Mahajan [O.A 79/2015] A.R Pawar [O.A 80/2015] ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam holding for Shri P.V Patil, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicants mention that the grievances of the applicants are resolved and therefore, they proposes to withdraw the O.As.</p> <p>3. Accordingly the O.As stand disposed of as withdrawn. No order as to costs.</p> <p>Sd/- (A.P. Kurhakar) Member (J) Akn</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p>

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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><u>26.02.2020</u></p> <p><u>M.A 111/2020 in O.A 87/2020</u></p> <p>Ulhas V. Ingawale & Others ... Applicants/ Intervenors</p> <p style="text-align: center;">Vs.</p> <p>Shri R.V Karadak & Others ... Respondents (Ori Applicants)</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicants-Intervenors, Shri A.V Bandiwadekar, learned advocate for the Respondents (Ori Applicants 1 to 24) and Ms Kranti S. Gaikwad, learned P.O for the Respondents no 25 to 28.</p> <p>2. This Misc Application is filed by the Applicants-Intervenors to add Applicants no 1 to 5 as Respondents in the Original Application on the ground that they are similarly situated and would be affected by the impugned orders which are under challenge in the O.A.</p> <p>3. Learned Counsel for the Respondents (Ori Applicants 1 to 24) has opposed the Misc Application for adding them as Party Respondents.</p> <p>4. Perusal of the Original Application as well Misc Application reveals that the applicants are likely to be affected by the impugned orders and they appears to be necessary party. Therefore, applicants 1 to 4 be added as Respondents no 5 to 8.</p> <p>5. In so far as applicant no. 5, Maharashtra State Food Officers Welfare Association, Maharashtra State is concerned, in absence of Resolution of the Association, it can't be joined as Respondents.</p> <p>6. Hence, present M.A is allowed to the extent of applicants no 1 to 4 to be added as Respondents no 5 to 8. Amendment to be carried out within a week. Shri Chandratre, learned advocate for applicants no 1 to 4 waives service of notice on behalf of the added Respondents.</p> <p style="text-align: center;">n</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Akn</p> <p style="text-align: right;">Sd/- (1)</p> <p style="text-align: right;">(P.N Dixit) Vice-Chairman (A)</p>

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	<p><u>26.02.2020</u></p> <p>M.A 14/2020 in O.A 119/2019 with M.A 12/2020 in O.A 119/2019.</p> <p>Smt A.T Sakore ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B. Deshmukhk, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents no 1 to 3 & 5 and Shri A.V Bandiwadekar, learned advocate for the Respondent no. 4.</p> <p>2. Today during hearing learned CPO mentions that report from the office of the Collector, Ahmednagar has been received.</p> <p>3. Learned C.P.O further mentions that as per instructions from Shri S.T Chavan, Assistant Section Officer, Industries, Energy & Labour Department, Mantralaya, Mumbai, action taken report would be submitted within a period of two weeks.</p> <p>4. Adjourned to 11.3.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: right;">Sd/- (P. N. Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>26.02.2020</u></p> <p><u>C.A 54/2019 in O.A 768/2018</u></p> <p>Shri K.R Nannaware ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits communication dated 25.2.2020 informing that the pension has been sanctioned to the applicant and he is being paid accordingly.</p> <p>3. On instructions from Shri M.J Phwade, Dairy Manager, in the office of Commissioner, Dairy Development, Worli, Mumbai, learned P.O mentions that the 7th Pay Commission recommendations would be made applicable to the applicant and proposal has been sent on 3.2.2020. Learned P.O further clarifies that grant of commutation of pension has been approved on 14.2.2020.</p> <p>4. Learned advocate for the applicant proposes to file affidavit demanding cost from the Respondents.</p> <p>5. At the request of learned advocate for the applicant, adjourned to 26.3.2020.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

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	<p><u>26.02.2020</u></p> <p><u>C.A 55/2019 in O.A 805 with 806 & 807/2016</u></p> <p>Shri R.V Dube & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Bushan A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. One of the Applicants has filed affidavit in rejoinder to the affidavit in reply filed on behalf of Respondent no. 1.</p> <p>3. On request of learned advocate for the applicants matter is adjourned for production of order of High Court in W.P 7154/2019.</p> <p>4. S.O to 5.3.2020.</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>26.02.2020</u></p> <p><u>M.A 100/2020 in O.A 140/2020</u></p> <p>Shri V.G Rokde ... Applicant Vs. 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 Ms Swati Manchekar, learned C.P.O for the Respondents.2. This MA is for condoning delay of more than 3 years.3. Issue notice returnable on 31.3.2020.4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.5. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file affidavit of compliance and notice.8. In case notice is not collected within 3 days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference and papers be consigned to record.9. S.O to 31.3.2020. <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Alm</p>