

**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 : 26.03.2019.</p> <p>O.A.No.336 of 2018 with M. A. No.617 of 2018</p> <p>R.D. Akrupe .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Ms N. G. Gohad, learned Presenting Officer for the Respondents and Shri A. V. Bandiwadekar, learned Advocate for the Applicant in M.A. No.617/2018.</p> <p>2. Shri Hemant Mahajan, Under Secretary, Medical Education &amp; Drugs Dept., Mumbai is also present in the court.</p> <p>3. On the request of learned P.D. for the Respondents, two day's time is granted for issuance of posting orders. A letter of Shri Hemant Mahajan, Under Secretary dated 26.03.2019 is taken on record.</p> <p>4. S.O. to 28.03.2019 for hearing.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">v (A.P. Kurhekar) Member(J)</p>

Date : 26.03.2019.

O.A.No.290 of 2019

A. S. Patil

....Applicant

Versus

The State of Maharashtra

...Respondent.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent.

2. In the present O.A., the Applicant has simply sought direction to the Respondent No.1 to decide the appeal filed on 19.07.2018 against the order of punishment dated 20.06.2018 within stipulated period.

3. The Applicant is working as Assistant Police Inspector (ASI) and the Departmental Enquiry was initiated against him. By order dated 20.06.2018, he was reverted to the lower rank for the period of one year. Being aggrieved by it, the Applicant has filed Appeal on 19.07.2018 before the Respondent. However, till date the appeal is not decided, therefore, the Applicant has approached this Tribunal.

4. It be noted that the punishment was for reduction in lower rank for the period of one year and out of it, the period of near about nine months are over but still appeal is not decided by the Respondent. In such situation, if the appeal is not decided expeditiously, the Applicant by that time will undergo the punishment of reduction to lower rank of one year and very purpose of filing appeal will be frustrated. It is, therefore, necessary to decide the appeal at the earliest.

5. In view of above, the Original Application is disposed of with direction to the Respondent to decide the appeal dated 19.07.2018 filed by the Applicant against the order of punishment dated 20.06.2018 within the month from today.

6. The decision, as the case may be, be communicated to the Applicant within a week thereafter.

7. No order as to costs.

8. Hamdast and steno copy is allowed.

Sd/-

(A.P. Kurhekar)  
Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.1120 OF 2018

S.N. Salve @S.P Dethe

...Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

Shri M.B. Kadam, the learned Advocate holding for Dr. G. Sadavarte, the learned Advocate for the Applicant.

Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.



CORAM : Justice Shri A.H. Joshi, Chairman

DATE : 26.03.2019.

**ORDER**

1. Heard Shri M.B. Kadam, the learned Advocate holding for Dr. G. Sadavarte, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.
2. Learned Advocate Hasmukh Davewala appears and states that he shall file vakalatnama for Respondent No.4 during the course of the day, and prays for two week's time for filing affidavit-in-reply.
3. Time as prayed for is granted.
4. On perusal of the affidavit, it prima facie appears that the affidavit does not contain any answer to the aspect of exact reason due to which O.A. has gone unattended before due date, reasons due to which instructions were not given to learned P.O. coming forward, though Shri Shree Kant Singh, Additional Chief Secretary (Appeal and Security), Home Department, Mantralaya, who was called to show cause as to why he should not be personally saddled with costs for such negligence in filing the said affidavit.
5. At this stage, learned C.P.O. prays for a week's time for filing additional affidavit.

6. Let the affidavit be filed by the Secretary concerned, if he really feels that he was bound to probe and disclose exact reason of failure to take suitable steps pursuant to the notice of this Tribunal, and as to what corrective steps would be taken to prevent the recurrence.
7. Apart from the aspect of show cause Secretary, (Appeal and Security) is directed to secure from enquiry officer appointed in the matter of charge sheet against the applicant, the schedule of hearing in the matter of enquiry, and furnish it before this Tribunal on the next date.
8. For compliance, S.O. to 09.04.2019.
9. Steno copy and Hamdast is allowed to learned P.O.
10. Learned P.O. is directed to communicate this order to the Respondents.

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

prk

.....)

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><b>DATE :</b> <u>26/3/19.</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>M. B. Kadam for L.S. Deshmukh</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>N. G. Gohad.</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>Heard</u></p> <p>OA is disposed in view of statement of learned P.O. no order as to costs</p>	<p><b>26.03.2019</b></p> <p><b><u>O.A No 823 &amp; 824/2018</u></b></p> <p>Mrs Soniya R. Gaikwad Shri Y.R Patil ...Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D Kadam, holding for Shri L.S Deshmukh, learned advocate for the applicants and Ms Neelima Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Learned P.O concedes on instructions from Respondent no. 2 to prayer (C) &amp; (D).</li> <li>3. Letter from Respondent no. 2 dated 26.3.2019 is taken on record.</li> <li>4. Compliance be done within 10 days.</li> <li>5. Original Application is disposed in view of statement by learned P.O.</li> <li>6. No order as to costs.</li> </ol> <p style="text-align: right;">Sd/- <b>(A.H Joshi, J)</b> Chairman</p> <p>Akn</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.669 of 2018
<p>DATE: <u>26/3/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri: <u>None for the Applicant</u></p> <p>Advocate for the Applicant</p> <p>Shri: <u>Mr. S.P. Manchekar</u> C.P. for the Respondent/s</p> <p>Adj./ S.O. to <u>29/3/2019</u></p> <p style="text-align: right;">Q</p>	<p>S.R. Varkhande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks two weeks time to file reply.</p> <p>3. S.O. to 29.3.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.3.2019</p> <p>(sg)</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. 1047 of 2018
<p>DATE: 26/3/2019</p> <p>By: <del>Mr. A. H. Joshi (Chairman)</del>  <del>Mr. S. P. Manchekar (Member (A))</del></p> <p>None for the Applicant</p> <p>By: Ms. S. P. Manchekar  CPO for the Respondent/s</p> <p>Adj/S.O. to Admit</p>	<p>V.V. Desai ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent.  Heard Miss 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. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit)  Member (A)  26.3.2019</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.1108 of 2018
<p>DATE: <u>26/3/2019</u></p> <p>BY: _____</p> <p>For the Justice Shri A. H. Joshi (Chairman)</p> <p>For the Shri P. N. Dixit Member (A)</p> <p>APPEARANCE:</p> <p>Shri. <u>None for the Applicant</u></p> <p>Advocate for the Applicant</p> <p>Shri. <u>MS. S.P. Manchekar</u></p> <p>CPO for the Respondent's <u>1 &amp; 2</u> and</p> <p>Adv. Shri. <u>S.M. Vakhare</u> For R. NO. <u>3</u></p> <p>Adj./ S.O. to _____</p> <p><u>29/3/2019</u></p> 	<p>P.R. Patankar ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 &amp; 2 and Shri S.M. Vakhare, learned Advocate for Respondent no.3.</p> <p>2. Ld. CPO seeks a week's time to file reply.</p> <p>3. S.O. to 29.3.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.3.2019</p> <p>(sgl)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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.1134 of 2018
<p>DATE: <u>26/3/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shriant: <u>None for the Applicant</u></p> <p>Advocate for the Applicant Shri <u>S. P. Manchekar</u> C.P.O. <u>P.G.</u> for the Respondent/s</p> <p>Adj./ S.O. to <u>6/6/2019</u></p>	<p>R.K. Bhosale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that the prayer made by the applicant is being considered favourably by the respondents. She seeks adjournment by eight weeks.</p> <p>3. S.O. to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.3.2019</p> <p>(sgi)</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.As. No.772 & 773 of 2018
<p>DATE: 26/3/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri/mt: None for the Applicant</p> <p>Advocate for the Applicant Shri/mt: S. P. Manchekar C.P.O./P.O. for the Respondent/s Adj./S.O. to OA is allowed to be withdrawn.</p>	<p>T.J. Padvi J.A. Surti ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Advocate for the Applicants is absent. Both the Applicants are present in the Court. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicants seek leave to withdraw the above OAs with liberty to agitate if there is fresh cause.</p> <p>3. Leave granted. OAs are allowed to be withdrawn and disposed off as such with above liberty as sought.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.3.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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.438 of 2018
<p>DATE: 26/3/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri R. R. Deshmukh</p> <p>Advocate for the Applicant Shri M. S. P. Manchekar</p> <p>C.P.O./P.O. for the Respondent/s Adj./ S.O. to 29/3/2019 Steno Copy and hamdast granted.</p>	<p>D.B. Bamane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.R. Deshmukh, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO mentions that proposal has been received by the Deputy Director on 22.3.2019 and he would submit it shortly to the Director. Progress regarding the same should be communicated.</p> <p>3. The respondents should examine if there is any legal impediment in getting Pay Verification done immediately as the applicant is retiring on 31.5.2019. The decision regarding the same should also be communicated during the next hearing.</p> <p>4. S.O. to 29.3.2019. Steno copy and hamdast is granted. Ld. CPO is directed to communicate this order to the respondents.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.3.2019</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
<p>DATE: 26/9/2019  CORAM:  Hon'ble Justice Shri A. H. Joshi (Chairman)  Hon'ble Shri P. N. Dixit Member (A)  APPEARANCE:  Shri/sr. Suhas R. Mandal, Ld. Adv.  holding for Shri. N.K. Rajpurohit  Advocate for the Applicant &lt; MA-98/2019 )  Shri/sr. Subham Kaushal Ld. Adv.  C.P.O./P.O. for the Respondent/s  for Appls. in O.A.s and Ms. Needim  Adv. S.O. to ..... P.O. for the  Resps.  S.O. to 22.4.2019</p>	<p>M.A. No.98 of 2019 in O.A. No.690 of 2018 with  O.A. No.947 of 2018 &amp; OA No.1087 of 2018</p> <p>P.S. Vetal &amp; Ors.  S.S. Salve &amp; Ors.  S.S. Pingale &amp; Ors. ..Applicants  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Suhas R. Mandal, learned Advocate holding for Shri N.K. Rajpurohit, learned Advocate for Applicant in MA No.98 of 2019, Shri Shubham Kaushal, learned Advocate for the Applicants in OAs and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants files reply in MA and the same is taken on record. Ld. CPO seeks three weeks time to file reply on behalf of respondents no.1 to 3. Ld. Advocate for Respondent No.4 seeks four weeks time to file reply.</p> <p>3. S.O. to 22.4.2019.</p> <p style="text-align: right;">Sd/-  (P.N. Dixit)  Member (A)  26.3.2019</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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..... Applicant/s

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*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 : 26.03.2019.

O.A.No.113 of 2019

N. N. Jagtap

....Applicant

Versus

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

1. The Applicant and his Advocate are absent.  
Heard Shri A. J. Chougule, learned Presenting Officer  
for the Respondents.

2. Today, the learned P.O. for the Respondents  
has filed Affidavit-in-Reply on behalf of the  
Respondent No.2. It is taken on record.

3. The matter is adjourned for hearing at the  
stage of admission.

4. S.O. to 28.03.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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..... 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 : 26.03.2019.</p> <p>O.A.No.336 of 2018 with M. A. No.617 of 2018</p> <p>R.D. Akrupe .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Ms N. G. Gohad, learned Presenting Officer for the Respondents and Shri A. V. Bandiwadekar, learned Advocate for the Applicant in M.A. No.617/2018.</p> <p>2. Shri Hemant Mahajan, Under Secretary, Medical Education &amp; Drugs Dept., Mumbai is also present in the court.</p> <p>3. On the request of learned P.O. for the Respondents, two day's time is granted for issuance of posting orders. A letter of Shri Hemant Mahajan, Under Secretary dated 26.03.2019 is taken on record.</p> <p>4. S.O. to 28.03.2019 for hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
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*versus*

The State of Maharashtra and others

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(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: 26/3/2019

**CORAM:**

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

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

**APPEARANCE:**

Shri/Smt. A.H. Naikwadi

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Ad. To 4/4/2019

steno copy and Hamdast is allowed to learned P.O.

*Handwritten initials*

Date : 26.03.2019.

O.A.No.984 of 2017 with O.A.No.132 of 2018

R.N. Fulzele & Ors. (O.A.984/2017)

V.S. Zarekar & Ors. (O.A.132/2018)

.....Applicants.

Versus

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

1. Heard Shri A.N. Naikwadi, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned Presenting Officer for Respondents.

2. It is seen that paragraph 6.29 of the O.A. has not been properly replied.

3. Respondent No.1 as well as Respondent No.3 are expected to discuss *inter se* and thereupon file affidavit.

4. Learned P.O. Shri A.J. Chougule for the Respondents prays for a week's time to file affidavit.

5. S.O. to 04.04.2019.

6. Steno copy and Hamdast is allowed to learned P.O..

7. Learned P.O. is directed to communicate this order to the Respondents.

Sd/-

(P.N. Dixit)  
Member(A)

Sd/-

(A.H. Joshi, J)  
Chairman

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 26.03.2019.</b></p> <p style="text-align: center;"><b>O.A.No.920 of 2017</b></p> <p><b>Dr. S. S. Shaha</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is serving as a Medical Officer in 2012. He was promoted in the cadre of District Civil Surgeon and he was posted as Civil Surgeon, Bhandara. However, the Applicant did not join at Bhandara. He made representation for change of division, which was not materialized and ultimately he has filed this present O.A. to challenge the order dated 10.08.2017 whereby his request for change of division has been rejected. In the said order, he has been further informed that he was relieved to join promotional post on 30.09.2012 but did not join at Bhandara and he was continuously absent since then.</p> <p>3. During the pendency of this matter, the Government has issued the posting order dated 09.08.2018 whereby the Applicant has been posted at Akluj District Solapur. Accordingly, he joined on 19.08.2018. Thus, he was admittedly not on duty from 30.09.2012 to 18.08.2018.</p> <p>4. By order dated 09.08.2018 the Applicant's absence from 30.09.2012 till the date of joining at Akluj (19.08.2018) is treated as break in service under Rule 47(1) of the Maharashtra Civil Services (Pension) Rules, 1982. In view of this subsequent development, the Applicant has amended the application and also sought relief to set aside the order dated 09.08.2018.</p>



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

Tribunal's orders

-2-

5. In view of above, the present O.A. can be disposed of with suitable directions as the Applicant has not availed remedy of filing representation against the order dated 09.08.2018. Needless to mention that unless the Applicant avails the alternate remedy provided in law, the O.A. cannot be ordinarily entertained by the Tribunal. Learned Advocate for the Applicant has fairly stated that his client will make representation to the Respondent No.1 within two weeks from today and directions be given to the Respondent No.1 to decide the representation within stipulated period. The submission is quite clear.

6. In view of above, I proceed to pass the following order.

**ORDER**

(a) The Original Application is disposed of with directions to the Applicant to file representation before the Respondent No.1 against the order dated 09.08.2018 treating his absent period from 30.09.2012 till the date of joining at Akuj, district Solapur break in service within two weeks from today.

(b) The Respondent No.1 shall decide the representation to be made by the Applicant as directed above within two months from the date of receipt of the representation in accordance to rules.

(c) The Respondents may consider to give personal hearing to the Applicant while deciding his representation.

(d) The decision, as the case may be, be communicated to the Applicant within two weeks thereafter.

(e) If the Applicant feels aggrieved by the decision, he may avail legal remedy in accordance to law.

(f) No order as to costs.

Sd/-

(A.P. Kurhekar)  
Member(J)

**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 : 26.03.2019.</p> <p>O.A.No.172 of 2019</p> <p>D. M. Dore &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ..Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. The matter is adjourned to 02.04.2019 for filing rejoinder, if any.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(I)</p>

vsm

**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 : 26.03.2019.

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

S. A. Patil .....Applicant

Versus

The State of Maharashtra & Ors. ..Respondents.

1. Heard the Applicant in person and Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.
2. Today, the learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent Nos.2 and 3 in O.A. No.18/2019. It is taken on record.
3. The matter is adjourned for hearing at the stage of admission.
4. S.O. to 18.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 26.03.2019.</p> <p>O.A.No.19 of 2019</p> <p>N. V. Jadhav .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ..Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is taken on board by way of circulation for filing Affidavit-in-Reply.</p> <p>3. Learned P.O. for the Respondents has filed reply on behalf of the Respondents. It is taken on record.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 09.04.2019.</p> <p style="text-align: right;">Sd/- ✓ (A.P. Kurhekar) Member(J)</p>

vsm

**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 : 26.03.2019.</p> <p>M.A. No.78 of 2019 in O.A.No.760 of 2018</p> <p>I. M. Mogal .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ..Respondents.</p> <p>1. Heard Shri Anil Taiswar holding for Shri R. G. Panchal, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. has been filed to restore the O.A.No.760 of 2018 which has been dismissed in default on 04.01.2019.</p> <p>3. Learned Advocate for the Applicant submits that on 04.01.2019, Advocate Shri Panchal who was appearing in the present O.A. could not attend the matter because of personal difficulties. He, therefore, requested to restore the O.A.</p> <p>4. For the reasons stated above, M.A. for restoration of O.A.No.760/2018 is allowed. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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
	<p>Date : 26.03.2019.</p> <p>O.A.No.760 of 2018</p> <p>I. M. Mogal .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Anil Taiswar holding for Shri R. G. Panchal, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, in view of the order passed in M.A.No.78/2019 in O.A.760/2018, this O.A. is restored to the file.</p> <p>3. Original Application No.760/2018 be kept for hearing at the stage of admission.</p> <p>4. S.O. to 16.04.2019.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p>

vsm

**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 : 26.03.2019.</p> <p>M. A. No.671 of 2018 in O.A.No.1143 of 2018</p> <p>R. A. Bantwal .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri M. K. Mishra, learned Advocate for the Applicant and Smt. Kranti Gaikwad holding for Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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

Tribunal's orders

Date : 26.03.2019.

O.A.No.1143 of 2018

R. A. Bantwal ....Applicant

Versus

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

1. Heard Shri M. K. Mishra, learned Advocate for the Applicant and Smt. Kranti Gaiwad holding for Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 23.04.2019.

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 23.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm



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

Tribunal's orders

Date : 26.03.2019.

O. A. No.273 of 2019

S. A. Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard the Applicant in person and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 23.04.2019.
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 23.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

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

Tribunal's orders

Date : 26.03.2019.

M. A. No.149 of 2019 in O. A. No.276 of 2019

M. R. Ahire

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri C. T. Chandratre, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 23.04.2019.
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 23.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

**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 : 26.03.2019.

O.A.No.986 of 2018

S. P. Shirsolkar .....Applicant

Versus

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

1. The Applicant in person present and her Advocate is absent. Heard Ms S. Surywanshi, learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents submitted that the Affidavit-in-Reply on behalf of the Respondents will be filed during the course of the day. Statement is accepted. Reply be taken on record.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 16.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

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

Tribunal's orders

Date : 26.03.2019.

O.A.No.250 of 2019

G.G. Kamble & Ors. ....Applicants.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri M.B. Kadam, the learned Advocate holding for Dr. G. Sadavarte, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.

2. Issue notice before admission returnable on 29.04.2019.

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 29.04.2019.

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

DATE: 26/3/19

CORAM

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

APPEARANCE:

Shri/Smt. M.B. Kadam for  
Dr. G. Sadavarte  
Advocate for the Applicant

Miss S.P. Manchekar  
C.P.O./R.O. for the Respondent/s

Adj./S.O. to 29/4/19.

Order passed by  
Tribunal Column

2

**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 : 26.03.2019.

M.A.No.138 of 2019 In O.A.No.250 of 2019

G.G. Kamble & Ors. ....Applicants.

Versus

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

1. Heard Shri M.B. Kadam, the learned Advocate holding for Dr. G. Sadavarte, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

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

DATE - 26/3/19  
CORAM  
Hon'ble Justice Shri A. H. Joshi (Chairman)  
APPEARANCE:  
Sd/- M.B. Kadam for A.G.  
Satarask  
Advocate for the Applicant  
Sd/- S.P. Manchekar  
Advocate for the Respondent/s  
Adj. J. to Heard  
M.A. is allowed

prk