

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

Tribunal's orders

Date : 26.04.2019.

C.A.No.13 of 2019 in O.A.No.438 of 2016 (Nagpur)

H.V. Burade .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri Kiran Malokar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. The case was heard for considerably long time.
3. We are satisfied that Applicants have been laboring under wrong impression that the Contempt has occurred.
4. During hearing it has transpired that the State has made an effort to purge the Contempt and order of grant of promotion has been issued to the Applicant (copy whereof is at page 27 of the paper book of C.A.).
5. At this stage, learned Advocate prays for permission to withdraw the C.A. unconditionally.
6. C.A. is disposed of without any action.

DATE: 26/4/19

CORAM:

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

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

APPEARANCE:

Shri/Smt. Kiran Malokar

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Ad. To..... CA disposed of  
without any action.

prk

Sd/-

(P.N. Dixit)  
Member(A)

Sd/-

(A.H. Joshi, J.)  
Chairman

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. P. Deshpande (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. : Kiran Malakar Advocate for the Applicant Shri/Smt. : S.P. Manchekar C.P.O / P.O. for the Respondent/s</p> <p>Ad. To..... O.A. is disposed of. ME</p>	<p><b>Date : 26.04.2019.</b> O.A.No.242/2019 (O.A.No.578/2017 Nagpur) <b>O.A.No.243 of 2019 (O.A.684/2018 at Nagpur)</b> <b>(Subject : Challenging G.R.)</b></p> <p><b>P.P. Daware &amp; Ors. ....Applicants.</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri Kiran Malokar, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. O.A. is taken up for hearing.</p> <p>3. It has transpired that the Government has already issued the order dated 04.07.2018 and granted to the Applicant following relief :-</p> <p>“२. मा. महाराष्ट्र प्रशासकीय न्यायाधिकरण, नागपूर यांना दिनांक २५.०४.२०१७ रोजी दिलेल्या आदेशाच्या अनुषंगाने श्रीमती हर्षलता बुराडे व इतर ३ अर्जदार यांना दिनांक ३१.०७.२००८ च्या शासन निर्णयानुसार लागू करण्यात आलेली विभागीय परीक्षा उ-तीर्ण होण्याची आवश्यकता नाही.</p> <p>३. श्रीमती हर्षलता बुराडे व श्री. मिलिंद अं. कुबडे, ज्येष्ठ अधिव्याख्याता, श्री विकास रा. गावंडे व श्री. बालाजी दि. शेळके, अधिव्याख्याता यांचा परीक्षेसाठी कालावधी मा. न्यायाधिकरणाच्या दिनांक २५.०४.२०१७ च्या आदेशास अनुसरून संपुष्टात आणण्यात येत आहे.</p> <p>४. श्रीमती हर्षलता बुराडे व श्री. मिलिंद अं. कुबडे, ज्येष्ठ अधिव्याख्याता, श्री विकास रा. गावंडे व श्री. बालाजी दि. शेळके, अधिव्याख्याता यांना वार्षिक वेतनवाढी देण्यात याव्यात.</p> <p>५. सदर आदेश, मा. न्यायाधिकरणाने दिनांक २५.०४.२०१७ रोजी पारित केलेल्या आदेशास मा. उच्च न्यायालयात आढावा देण्याच्या अटीच्या अधिन राहून निर्गमित करण्यात येत आहेत.</p> <p>महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,” (Quoted from page 28 of the paper book of C.A.NO.13/2019)</p> <p>4. Learned C.P.O. has consulted the officer one Shri R.P. Ate, Joint Secretary, School Education and Sports Department who is present in the Court confirms this position. In view of the foregoing the O.A. deserves to be disposed.</p> <p>5. At this stage learned Advocate for the Applicants states that applicant's desire to challenge Maharashtra Education Services (Education Empowerment Branch) Departmental Examination Rules, 2018.</p> <p>6. Applicants' liberty to file fresh O.A. in case they wish to challenge the Rules of 2018 shall remain unaffected.</p> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, J) V Chairman</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><b>DATE:</b> <u>26/4/2019</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice <u>P.N. Dixit</u> (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>R. Sorankar</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O./P.O. for the Respondent/s</p> <p><b>Act To:</b> <u>OA is disposed as</u> <u>Withdrawn with liberty as prayed.</u></p> <p align="right"><i>gjk</i></p>	<p><b>Date: 26.04.2019</b></p> <p align="center"><b>O. A. No.917 of 2016</b></p> <p><b>M.B. Sonavane</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri R. Sorankar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. In the midst of hearing learned Advocate for applicant prays on instructions for leave to withdraw OA with liberty to file fresh O.A.. O.A. is disposed as withdrawn with liberty as prayed.</p> <p>3. All points and claims are kept open.</p> <p align="center">Sd/- <span style="margin-left: 100px;">Sd/-</span> (P.N. Dixit) <span style="margin-left: 100px;">(A.H. Joshi)</span> MEMBER (A) <span style="margin-left: 100px;">CHAIRMAN</span></p> <p>NMN</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	<b>Tribunal's orders</b> O.A. No.306 of 2018 in O.A. No.307 of 2018
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V.H. Kelkar  
S.J. Kamble ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.B. Tajane, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.

- 2. Time extended by two weeks.
- 3. S.O. to 12.6.2019.

Sd/-  
(P.N. Dixit)  
Member (A)  
26.4.2019

Sd/-  
(A.H. Joshi)  
Chairman  
26.4.2019

DATE : 26/4/2019

CORAM :

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

Hon'ble Shri M. Ramasubramanian (Member) A

APPEARANCE :

Shri/Smt : A.B. Tajane

Advocate for the Applicant

Shri/Smt : Archana B.K.

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

Adt. To : 12/6/2019

*YH*

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

Tribunal's orders

Date : 26.04.2019

O.A.No.422 of 2019

V.L. Pawar & Ors. .... Applicants  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant 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.J.)  
Chairman

prk

DATE: 26/4/2019

CORAM:

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

APPLICANT:

Shri. L.S. Deshmukh

Advocate for the Applicant

Shri/Sms. S.P. Manchekar

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

Ad. To Issue notice  
returnable on 12/6/2019.

prk

**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><b>DATE:</b> <u>26/4/2019</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Jashi (Chairman) Hon'ble Shri M. Hemadri (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>L.S. Deshmukh</u> Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>As To <u>MA is allowed.</u></p> <p><i>[Signature]</i></p>	<p>Date : 26.04.2019</p> <p>M.A.No.227 of 2019 in O.A.No.422 of 2019</p> <p>V.L. Pawar &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. 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>Sd/- (P.N. Dixit) Member(A)</p> <p>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
<p>DATE: 26/4/2019</p> <p>CORAM:</p> <p>Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>Hon'ble Shri P. N. Dixit (Member)</p> <p>APPEARANCE:</p> <p>Shri/Smt: M.D. Lonkar</p> <p>Advocate for the Applicant</p> <p>Shri/Smt: A.A. Desai Ld. Special</p> <p>C.P.O./P.O. for the Respondent/s</p> <p>Counsel for R.No-1.</p> <p>Ms. S.P. Manchekar</p> <p>Ld. C.P.O. for R. 2.</p> <p>Adv. K.R. Jagdale for R.3.</p> <p>S-a-to 14/6/2019.</p> <p><i>[Signature]</i></p>	<p>Date : 26.04.2019.</p> <p>O.A.No.325 of 2018</p> <p>A.M. Jadhao .....Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant, Shri A.A. Desai, the learned Special Counsel for Respondent No.1, Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondent No.2 with and Shri K.R. Jagdale, the learned Advocate for Respondent No.3.</p> <p>2. Learned C.P.O. states on instructions that until completion of Code of Conduct the decision as regards appointment is not likely to be made.</p> <p>3. We, therefore, direct that the vacancy of the post of Direct Vocational Education and Training should not be filled in till further orders.</p> <p>4. Parties are free to file reply.</p> <p>5. Steno copy and Hamdast is allowed to C.P.O..</p> <p>6. Learned C.P.O. is directed to communicate this order to the Respondents.</p> <p>7. S.O. to 14.06.2019. To be placed before Division Bench.</p> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, Jy) Chairman</p> <p>prk</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 Date : 26.04.2019
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt: M.B. Gawade Ld. Adv. with Shri R.S. Deshpande Ld. Advocate for the Applicant Shri/Smt: S.P. Manchekar Ld. C.P.O / P.O. for the Respondent/s 1 to 6. Shri M.V. Deshmukh Ld. Adv. for Ad. to R.N.O. 86. Shri S. Mane and Shri M.D. Lonkar for R. No. 7, 11, 19, 21, 24, 26, 42, 45, 52, 53, 54, 55 &amp; 55. Steno copy and Hamdast is allowed to Ld. P.O. S.O. to 14/6/2019.</p>	<p><b>O.A.No.925 of 2017</b></p> <p><b>D.K. Gunjal</b> ..... Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> ..... Respondents</p> <p>1. Heard Shri M.B. Gawade, the learned Advocate with Shri R.S. Deshpande, the learned Advocate and Shri A. Deshpande, the learned Advocate for the Applicant, Ms. S.P. Manchekar, the learned C.P.O. for the Respondents No.1 to 6, Shri M.V. Deshmukh, the learned Advocate for Respondent No.86, Shri S. Mane and Shri M.D. Lonkar, the learned Advocate for the Respondents No.7, 11, 19, 21, 24, 26, 42, 45, 52, 53, 31, 15, 54 and 55.</p> <p>2. Respondent No.3 is directed as follows :- Report status of genuineness of certificate of non-creamy layer issued in favour of various candidates as per the list to be provided by the learned Advocate for the Applicant on or before 14.06.2019.</p> <p>3. Steno copy and Hamdast is allowed to learned P.O..</p> <p>4. Learned P.O. is directed to communicate this order to the Respondents.</p> <p>5. S.O. to 14.06.2019.</p> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, J) Chairman</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><b>DATE :</b> <u>26/4/19</u></p> <p><b>CORAM</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>K.R. Jagdale</u> Advocate for Applicant</p> <p><u>Miss S.P. Manchekar</u> Shri/Smt. C.P.O./P.O. for the Respondent/s</p> <p>Adt./S.O. to <u>14/6/19</u></p> <p>order passed in Tribunal column - steno copy and Hamdast is allowed.</p>	<p><b>Date : 26.04.2019.</b></p> <p><b>D.A.No.138 of 2019</b></p> <p><b>P.V. Karande</b> .....Applicant. <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</li> <li>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents prays for time to enable consideration of the matter.</li> <li>3. Time as prayed for is granted.</li> <li>4. In the meantime one post of Forest Guard be kept vacant for accommodating the Applicant, if O.A. succeeds.</li> <li>5. Pendency of O.A. shall not come in the way of the Respondents for taking a positive and favourable decision.</li> <li>6. Steno copy and Hamdast is allowed to learned C.P.O..</li> <li>7. Learned C.P.O. is directed to communicate this order to the Respondents.</li> <li>8. S.O. to 14.06.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.H. Joshi, M) Chairman</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><b>DATE :</b> <u>26/4/19</u></p> <p><b>CORAM :</b> Hon'ble Justice Sri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Sri/Smt. <u>A. C. Sadavarte</u> Advocate for the Applicant</p> <p>Sri/Smt. <u>K. S. Gaikwad</u> P.O./P.O. for the Respondent/s</p> <p>Adj.S.O. to <u>12/6/19</u></p> <p>order passed in Tribunal column.</p> <p style="text-align: right;"><u>2</u></p>	<p>Date : 26.04.2019</p> <p>O.A.No.627 of 2017</p> <p>S.B. Kare &amp; Ors. .... Applicants Versus The State of Maharashtra &amp; Ors. .... Respondents</p> <p>1. Heard Dr. G. Sadavarte, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. Smt. K.S. Gaikwad for the Respondents prays for time to make statement as to corrective measure for issuing orders as granted to similarly situated nurses.</p> <p>3. S.O. to 12.06.2019.</p> <p>4. Steno copy and Hamdast is allowed to learned P.O..</p> <p>5. Learned P.O. is directed to communicate this order to the Respondents.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</p> <p>prk</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
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DATE : 26/4/19  
 CORAM :  
 Honble Justice Shri A. H. Joshi (Chairman)  
 APPEARANCE:  
 Shri K.R. Jagdale  
 Advocate for Applicant  
 Shri S.P. Manchekar  
 C.P.O./P.O. for the Respondent/s  
 Ad/ S.O. to 14/6/19.

*order passed in  
Tribunal Column.  
Steno copy and  
Hamdast is allowed*  
2

Date : 26.04.2019.  
 O.A.No.137 of 2019  
 B.N. Patil .....Applicant.  
 Versus  
 The State of Maharashtra & Ors. ....Respondents.  
 1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.  
 2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents prays for time to enable consideration of the matter.  
 3. Time as prayed for is granted.  
 4. In the meantime one post of Forest Guard be kept vacant for accommodating the Applicant, if O.A. succeeds.  
 5. Pendency of O.A. shall not come in the way of the Respondents for taking a positive and favourable decision.  
 6. Steno copy and Hamdast is allowed to learned C.P.O..  
 7. Learned C.P.O. is directed to communicate this order to the Respondents.  
 8. S.O. to 14.06.2019.

Sd/-  
 (A.H. Joshi) Chairman

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

Tribunal's orders

Date : 26.04.2019

O.A.No.195 of 2018

A.T. Zanje ..... Applicant  
Versus  
The State of Maharashtra & Ors. .... Respondents

1. Heard Shri D.B. Khaire, the learned Advocate for the Applicant, Smt. K.S. Gaikwad, the learned P.O. for the Respondents No.1 & 2 and Shri M.D. Lonkar, the learned Advocate for Respondent No.3.

2. Learned Advocate Shri D.B. Khaire for the Applicant prays for leave to amend for substituting entire paper book of O.A..

3. Leave to amend for substitution as prayed is granted.

4. Fresh notice after substituted returnable on 24.06.2019.

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 D.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 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 24.06.2019.

Sd/-

(P.N. Dixit)  
Member(A)

Sd/-

(A.H. Joshi, J.)  
Chairman

DATE: 26/4/2019

CORAM:

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

Hon'ble Shri M. D. Lonkar (Member) A

APPEARANCE:

Shri D. B. Khaire

Advocate for the Applicant

Shri/Smt. K. S. Gaikwad

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

Ad. To: Fresh notice after  
substitution substituted  
returnable on 24/6/2019.

A.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

Date : 26.04.2019.

O. A. No.426 of 2019

P. D. Mule ...Applicant

Versus

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

1. Heard Shri M. B. Kadam holding for Shri P. V. Patil, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the recovery of total amount of Rs.3,66,265/- from the gratuity and regular pension. The Applicant retired in May, 2018. He is Group 'C' employee.
3. Prima-facie, the recovery seems to have been ordered because of <sup>wrong</sup> fixation of pay and, therefore, same is not permissible in view of the judgment of the Hon'ble Apex Court in *Civil Appeal No.11527/2017 arising out of SLP (C) No.11684/2012 (State of Punjab and others Vs. Rofiq Mosih (White Washer) dated 18<sup>th</sup> December, 2014*. The Applicant is, therefore, entitled to interim relief.
4. Interim relief in terms of prayer clause 11(a) is granted.
5. Hamdast and steno copy is allowed.

Office Notes, Office Memoranda of Corom, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Issue notice before admission returnable on 14.06.2019.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. 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.</p> <p>12. S.O. to 14.06.2019.</p> <p style="text-align: right;">Sd/- A ✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**Date : 26.04.2019.**

**O.A.No.1138 of 2018 with O.A.No.1139 of 2018 with  
O.A.No1146 of 2018**

**P.S. Pawar  
S. B. Kulkarni  
M. K. Gondhali** ....Applicants

**Versus**

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

1. Heard Shri Manoj Harit, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents
2. The matters pertain to deemed date of promotion and for grant of promotional benefits as well as consequent retirement benefits.
3. As the pleadings are complete, Original Applications are admitted and be kept for final hearing.
4. S.O. to 21.06.2019.

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 : 26.04.2019.

O. A. No.430 of 2019

M. D. Surve .....Applicant

Versus

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

1. Heard Shri U. V. Bhosale with Shri M. D. Lonkar, learned Advocates for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 14.06.2019.

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

4. 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 14.06.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)



MA/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

Date : 26.04.2019.

O. A. No.426 of 2019

P. D. Mule ....Applicant

Versus

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

1. Heard Shri M. B. Kadam holding for Shri P. V. Patil, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the recovery of total amount of Rs.3,66,265/- from the gratuity and regular pension. The Applicant retired in May, 2018. He is Group 'C' employee.
3. Prima-facie, the recovery seems to have been ordered because of <sup>wrong</sup> fixation of pay and, therefore, same is not permissible in view of the judgment of the Hon'ble Apex Court in *Civil Appeal No.11527/2017 arising out of SLP (C) No.11684/2012 (State of Punjab and others Vs. Rafiq Masih (White Washer) dated 18<sup>th</sup> December, 2014*. The Applicant is, therefore, entitled to interim relief.
4. Interim relief in terms of prayer clause 11(a) is granted.
5. Hamdast and steno copy is allowed.

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

Date : 26.04.2019.

Tribunal's orders

O. A. No.427 of 2019

M. P. Mohite & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri G. A. Bandiwadkar, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 14.06.2019.

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

4. 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 14.06.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 26.04.2019.</p>
<p><u>DATE:</u> 26/4/2019 <u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramdas, J. (Member) A <u>APPEARANCE:</u> Shri/For: V.P. Potbhare Advocate for the Applicant Shri/For: S.P. Manchekar C.F.O./P.O. for the Respondent's Adj. To: Issue notice before admission returnable on 14/5/2019. M/T</p>	<p>O.A.No.425 of 2019</p> <p>T.K. Satpute .....Applicant. Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 14.05.2019.</li> <li>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 14.05.2019.</li> <li>9. If reply is not filed on or before 14.05.2019, case may be heard for grant of interim relief.</li> </ol> <p>Sd/- (P.N. Dixit) Member(A)</p> <p>Sd/- (A.H. Joshi, J.) Chairman</p> <p>prk</p>

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

Tribunal's orders

Date : 26.04.2019.

O.A.No.707 of 2018 with M.A.No.234 of 2019

C.R. Pillay .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.
2. Smt. V. Chandrashekhar, the learned Advocate for the Applicant is absent.
3. Issue notice before admission returnable on 24.06.2019.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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.
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. Applicant is directed to file Affidavit of compliance and notice.
8. 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.
9. S.O. to 24.06.2019.

DATE:

CORAM:

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

Hon'ble Shri ~~M. Ramesh Kumar~~ (Member) A

APPEARANCE:

Shri/Smt. V. Chandrashekhar the

Advocate for the Applicant

Shri/Smt. S. P. Manchekar

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

Adj. To Issue notice before  
admission returnable on  
24/6/2019.

*prk*

Sd/-

(P.N. Dixit)  
Member(A)

Sd/-

(A.H. Joshi, J.)  
Chairman

**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><b>Date : 26.04.2019.</b></p> <p><b>O.A.No.399 of 2018</b></p> <p><b>P. V. Korpade</b> ....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"><li>1. Heard Shri M. A. Ingole, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li><li>2. Today, the learned P.O. for the Respondents has filed Affidavit in Sur-Rejoinder on behalf of the Respondent Nos.1 to 4. It is taken on record.</li><li>3. On the request of learned Advocate for the Applicant, the matter is adjourned for hearing at the stage of admission.</li><li>4. S.O. to 17.06.2019.</li></ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> Member(J)</p>

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

Tribunal's orders

Date : 26.04.2019.

O. A. No.428 of 2019

A. S. Chaudhari ....Applicant

Versus

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

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 14.06.2019.

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

4. 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 14.06.2019.

Sd/-

*W*  
(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

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

Tribunal's orders

**Date : 26.04.2019.**

**M. A. No.229 of 2019 in O.A.No.427 of 2019**

**M. P. Mohite & Ors. ....Applicants**

**Versus**

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

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the 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.P. Kurhekar)  
Member(J).

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

Tribunal's orders

Date : 26.04.2019.

O.A.No.86 of 2019

D. D. Rajnor

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M. B. Kadam holding for Shri S. S. Dere, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. In the present matter, the Applicant has challenged the suspension order dated 30.10.2018 whereby he was kept under suspension in view of registration of offences against him. The Applicant was working as Police Patil at village Rapali, Tal. Chandwad, Dist. Nashik. He came to be suspended invoking the Section 11 of the Maharashtra Village Police Act, 1967 which inter-alia provides for suspension of Police Patil till completion of criminal case and D.E.

3. At this stage, learned Advocate for the Applicant seeks permission to withdraw the O.A. so as to file the Appeal against the suspension order or to take other appropriate alternate remedy.

4. In view of above, permission is granted to withdraw the O.A. with liberty to file the Appeal or representation as may be permissible.

5. No order as to costs.

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 : 26.04.2019.

M. A. No.231 of 2019 In O. A. No.380 of 2019

R. M. Kadale ....Applicant

Versus

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

1. Heard Shri V. S. Deokar, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer 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. 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 10.06.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 26.04.2019.</p> <p>M.A. No.225 of 2019 In M. A. No.424 of 2018 In O.A.No.916 of 2017</p> <p>S.N. Shirode .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri H. M. Inamdar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. M.A. No.424 of 2018 in O.A. No.916/2017 was dismissed in default by order dated 15.04.2019. Therefore, the present M.A.No.225/2019 is filed for restoration of the matter.</p> <p>3. Learned Advocate for the Applicant submitted that on 15.04.2019 he could not attend the Tribunal due to illness of his closed relative. On this background, he prayed for restoration of the matter.</p> <p>4. For the reasons stated in application, M.A.No.225/2019 is allowed.</p> <p>5. Misc. Application is disposed of accordingly with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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 : 26.04.2019.</p> <p>O.A.No.216 of 2016</p> <p>A. P. Charate ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Shri D. B. Khaire, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. This matter is taken on board for Speaking to Minutes for some correction in the order passed by this Tribunal on 10.04.2019 whereby the O.A. has been allowed on merit.</li><li>3. Learned Advocate for the Applicant pointed out that in Para No.11, Clause (C), this court has observed that Shri Ovarikar was also appointed on contract basis. In this respect, he submitted that Shri Ovarikar was not appointed on contract basis but he was regular employee and was transferred to Government Polytechnic, Solapur. He, therefore, prayed to replace the word 'contract basis' by 'regular basis'.</li><li>4. Learned P.O. for the Respondents has no objection for this correction.</li><li>5. In view of above, in Para No.11 (C) of the judgment in place of word 'contract' it be substituted by word 'regular basis'. Correction be accordingly carried out.</li></ol> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.383 OF 2018**

Shri Sandeep S. Jadhav. )...Applicant

**Versus**

1. The State of Maharashtra & 2 Ors. )...Respondents

**Mrs. Punam Mahajan, Advocate for Applicant.**

**Mrs. K.S.Gaikwad, Presenting Officer for Respondents.**

**CORAM : A.P. KURHEKAR, MEMBER-J**

**DATE : 26.04.2019**

**ORDER**

1. In the present O.A, the Applicant has challenged the order dated 10<sup>th</sup> April, 2019 whereby in his place, Respondent No.3 Shri Vivek Patil has been posted as Additional Superintendent of Police, Pune (Rural) on which the Applicant was working. As such, there is no consequential transfer order of the Applicant but having found that he is being displaced by appointing Respondent No.3 in his place, he has filed the present O.A.

2. The reason for transfer of Respondent No.3 in place of Applicant was the Judgment passed by Learned Judicial Magistrate, 1<sup>st</sup> Class, Jamkhed by Judgment dated 27<sup>th</sup> March, 2019 whereby the Applicant was convicted for the offence under Section 323 r/w Section 34 of Indian Penal Code and sentenced to suffer simple imprisonment for three months and fine of Rs.500/-. On the same day, he



had applied for suspension of sentence as well as for grant of Bail. Accordingly, sentence was suspended and he was released on Bail of Rs.5,000/-.

3. The Applicant had also filed Criminal Appeal No.79/2018 in Sessions' Court, Ahmednagar wherein the learned Sessions Judge stayed that the sentence as well as conviction of the Applicant by order dated 10<sup>th</sup> April, 2019. As such, the conviction itself has been stayed by the Appellate Court under Section 389 of Cr. P.C.
4. There is another aspect of the matter about stay to the suspension by the Tribunal. Being aggrieved by the order of suspension, the Applicant had filed another O.A.387/2019 in this Tribunal wherein having found that the conviction has been stayed by the Appellate Court, this Tribunal by way of interim relief stayed the implementation of suspension order dated 9<sup>th</sup> April, 2019 till further orders. This stay order is in force and O.A.No.387/2019 is adjourned for filing Affidavit-in-reply of the Respondents.
5. In fact, this O.A.No.383/2019 has been filed on 11<sup>th</sup> April, 2019 and it was taken up for admission on 15.04.2019. That day, the learned Advocate for the Applicant pressed for interim relief to the transfer order on the ground of stay to the suspension order passed by the Tribunal in O.A.387/2019. However, on the request of learned P.O. Shri Chougule, time was granted to file reply.
6. Thus, today, in view of stay to the suspension order, the learned Advocate for the Applicant pressed for interim relief to stay impugned transfer order dated 10<sup>th</sup> April, 2019.
7. The reason for transfer seems conviction of the Applicant by the Court of Judicial Magistrate, 1<sup>st</sup> Class, Jamkhed. However, once the conviction has been stayed by the Appellate Court in exercise of power under Section 389 of Cr.P.C., disqualification attached to the suspension shall not operate. In this behalf, the

learned Advocate for the Applicant referred to the decision of Hon'ble Supreme Court in *AIR 2018 SC 4675 (Lok Prahari Vs. Election Commissioner of India)* wherein after referring to the earlier Judgment of Hon'ble Supreme Court in *(2013) 7 SCC 653 (Lily Thomas Vs. Union of India)*, it has been held that disqualification under Section 8 of Representation of Peoples Act, 1951 shall not operate, once the conviction stayed by the Appellate Court. Same principle of law would apply in the present situation, and therefore, the Applicant was required to be reposted at his original place.

8. This Tribunal has stayed the suspension order 12<sup>th</sup> April, 2019 and till date, the period of more than two weeks has been availed by the Respondents to take remedial measures, so as to repost the Applicant on his original post. However, no steps have been taken by the Respondents 1 & 2.

9. On the contrary, in Affidavit-in-reply filed by Shri Kailas Gaikwad, Deputy Secretary on behalf of Respondent Nos.1 & 2, ignorance of the order of stay dated 12.04.2019 is reflected. There is no reference of the stay order dated 12.04.2019 in Affidavit filed by Shri Gaikwad. On the contrary, in Affidavit, the Department sought to justify the action of suspension. It cannot be said that the Department was unaware about stay order dated 12.04.2019. As such, there are reasons to say that the Respondents 1 & 2 are intentionally avoiding to take remedial measures in pursuance of the order passed by this Tribunal on 12.04.2019 which they are bound to take in law.

10. In view of above, the Applicant cannot be deprived of working on his post as Additional Superintendent of Police, Pune (Rural) from which he was transferred by virtue of posting of Respondent No.3 in his place.

11. For the aforesaid reasons, the order dated 10.04.2019 is hereby stayed and Respondent Nos.1 & 2 are directed to post the Applicant at his original place within seven days.



12. The Respondent Nos.1 & 2 shall pass appropriate order of posting of Respondent No.3.

13. The learned Advocate for the Applicant submitted that due to paucity of time and inadvertence, the notice for service could not be collected from the Office, and therefore, requested for permission to collect the notices from the Office for service. Request is accepted.

14. S.O. to 11<sup>th</sup> June, 2019. Hamdast granted.

Sd/-

(A.P. KURHEKAR)  
Member-J

skw

**FARAD CONTINUATION SHEET NO.:**

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

Tribunal's orders

Date : 26.04.2019.

O. A. No.426 of 2019

P. D. Mule .....Applicant

Versus

The State of Maharashtra & Ors. ..Respondents.

1. Heard Shri M. B. Kadam holding for Shri P. V. Patil, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the recovery of total amount of Rs.3,66,265/- from the gratuity and regular pension. The Applicant retired in May, 2018. He is Group 'C' employee.
3. Prima-facie, the recovery seems to have been ordered because of <sup>wrong</sup> fixation of pay and, therefore, same is not permissible in view of the judgment of the Hon'ble Apex Court in *Civil Appeal No.11527/2017 arising out of SLP (C) No.11684/2012 (State of Punjab and others Vs. Rafiq Masih (White Washer) dated 18<sup>th</sup> December, 2014*. The Applicant is, therefore, entitled to interim relief.
4. Interim relief in terms of prayer clause 11(a) is granted.
5. Hamdast and steno copy is allowed.



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's <sup>-2-</sup> orders
	<p>6. Issue notice before admission returnable on 14.06.2019.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. 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.</p> <p>12. S.O. to 14.06.2019.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 26.04.2019.

O.A.No.398 of 2019

Dr. R. N. Saapkale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri J. S. Deshmukh, learned Advocate for the Applicant and Smt. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. In the present matter, the Applicant who is Medical Officer in pay-scale of 15600-39100-G.P.(6600) is seeking benefit of extension of retirement age from 58 to 60 years in view of various Government decisions as well as judgments rendered by this Tribunal in various Original Applications. The view taken by the Tribunal Bench Nagpur giving benefit of extension of age to the Medical Officer in the same pay-scale has been also confirmed by the Hon'ble Court, Nagpur Bench in W.P. No.6757/2017, decided on 05.03.2018.

3. This matter is taken up for admission on 24.04.2019 and having observed that the issue is already decided in earlier litigation, on request of the learned C.P.O., time was granted to take instructions from the Respondents and to apprise the Tribunal about the stand of the Government.

4. However, today the learned P.O. for the Respondents submitted that nobody has come from the Respondents and she is unable to make any statement.

5. As stated above, the issue relating to benefit of extension of retirement age from 58 to 60 years in view of various Government decisions as well as judgments rendered by this Tribunal and confirmed by the Hon'ble High Court has attained finality. The Applicant is Medical Officer in pay-scale of 15600-39100-G.P.(6600). As such in view of the decision referred to above, the Applicant is prima-facie entitled to extension of age and his service deserves to be continued.

6. The Respondents are, therefore, directed to continue the service of the Applicant till further orders.

7. The matter is adjourned for filing reply.

8. Hamdast and steno copy is allowed.

9. S.O. to 14.06.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

IN

**FARAD CONTINUATION SHEET NO.**Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

Date : 26.04.2019.

C.A.No.11 of 2019 in O.A.No.864 of 2018

S.K. Chillal

....Applicant.

Versus

The State of Maharashtra &amp; Ors.

.....Respondents.

DATE : 26/4/19.

COMMISSIONER

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

APPEARANCE:

Shri/Smt.

K.R. Jagdale

Advocate

Applicant

Shri/Smt.

S.P. Manchekar

C.P.O./P.O.

for the Respondent/s

Adl./S.D.O.

Heard

Hence CA is  
disposed.

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

2. In view of action of the Respondent learned Advocate Shri K.R. Jagdale for the Applicant prays for liberty to withdraw the C.A. with liberty to challenge adverse decision, if advised.

3. Hence, C.A. is disposed.

Sd/-

(A.H. Joshi, J.)  
Chairman

prk

IN

**FARAD CONTINUATION SHEET NO.**Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
Directions and Registrar's orders

Tribunal's orders

Date : 26.04.2019.

O.A.No.254 of 2019

S.A. Pedgaonkar

....Applicant.

Versus

The State of Maharashtra &amp; Ors.

.....Respondents.

DATE : 26/4/19

CORAM :

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

APPEARANCE:

Shri S. R. Jagdale

Appearance for the Applicant

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

Adj./S.O. to 12/6/19 for

Final disposal of  
be place before  
O/B -

P

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

2. At the request of learned C.P.O. Ms. S.P. Manchekar time is granted for actions/ compliance or report.

3. Adjourned to 12.06.2019 for final disposal. O.A. be placed before Division Bench.

Sd/-

(A.H. Joshi, J.)  
Chairman

prk

IN

**FARAD CONTINUATION SHEET NO.**Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

Date : 26.04.2019.

O.A.No.236 of 2019

G.G. Waghmare

....Applicant.

Versus

The State of Maharashtra &amp; Ors.

.....Respondents.

DATE: 26/4/19.

CORAM:

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

APPEARANCE:

Shri/Smt. K.R. Jagdale

Advocate for Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to 216/19

Heard  
order passed in  
Tribunal Column.  
Steno copy and  
Hamdast is allowed  
to Learned P.O.

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. Learned P.O. Smt. K.S. Gaikwad for the Respondents states as follows :-

(a) Affidavits received from the Department are not satisfactory and require to be redrafted.

(b) Time may be granted for filing reply.

3. Time as prayed for is granted. However, it is hoped that detailed affidavit answering each paragraph as well be filed.

4. Adjourned to 07.06.2019.

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

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

Sd/-

(A.H. Joshi, J.)  
Chairman

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 : 26.04.2019.

M.A.No.316 of 2019 in O.A.No.1199 of 2016

S.B. Kokil - .....Applicant.

Versus

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

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

2. Place before Division Bench for final disposal. M.A. to be heard along with O.A..

3. Adjourned to 06.06.2019.

Sd/-

(A.H. Joshi,  
Chairman

prk

DATE: 26/4/19

CORAM:

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

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for Applicant

Shri/Smt. K.S. Gaikwad

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

Adj./S.O. to 6/6/19

place before D/B

for final hearing

with O.A.

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 : 26.04.2019.

O.A.No.334 of 2019

K.K. Gosavi

....Applicant.

Versus

The State of Maharashtra &amp; Ors.

.....Respondents.

DATE : 26/4/19

CORAM :

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

APPEARANCE:

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

Shri/Smt. : S.P. Manchekar

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

Adj./R.O. to 12/6/19 for

Reply by way of last  
chance.

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

2. At the request of learned C.P.O. Ms. S.P. Manchekar for the Respondents adjourned to 12.06.2019 for reporting action or for reply by way of last chance.

Sd/-

(A.H. Joshi, J.)  
Chairman

prk

**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.890 of 2018
<p>DATE: <u>26/4/2019</u></p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. <u>A.V. Sakolkar</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>10/6/2019</u></p> <p style="text-align: right;"><i>Y.K.</i></p>	<p>B.N. Nagre ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.V. Sakolkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. PO files reply on behalf of respondent no.2 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 10.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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 <u>O.A. No.1133 of 2018</u>
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. K. Dixit (Member) A</p> <p><b>APPEARANCE:</b> Shri A. R. Deshpande Advocate for Applicant Shri K. S. Gaikwad C.P.O. for the Respondent/s</p> <p><b>Ad. To:</b> 27/5/2019</p> <p style="text-align: right;"><i>PH 7</i> <i>O.K.</i></p>	<p>B.A. Kale &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.R. Deshpande, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. PO files reply on behalf of respondent no.2 &amp; 3 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time for filing rejoinder.</p> <p>4. S.O. to 2.5.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019  (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.23 of 2019
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice S. A. B. Joshi (Chairman) Hon'ble Shri M. P. N. Dixit (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. I. S. Charlewar Advocate for the Applicant Shri/Smt. K. S. Gaikwad C.P.O./P.W. for the Respondent/s</p> <p>Adj. To. 6/6/2019</p> <p style="text-align: right;"><i>M.P.N.</i></p>	<p>Dr. N.L. Chutke ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri I.S. Charlewar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. PO has already filed reply on behalf of respondent no.1 to 4.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. At the request of Ld. Advocate for the applicant adjourned to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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 <u>O.A. No.73 of 2019</u>
<p><b>DATE:</b> <u>26/4/2019</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>P. N. Dixit</u> (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>U.V. Bhosale</u> Advocate for the Applicant Shri/Smt. : <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... <u>6/6/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>V.R. Rathod ..... Applicant Vs. The State of Maharashtra &amp; Ors. .... Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Id. PO seeks two weeks time to file reply.</p> <p>3. S.O. to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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. 134 of 2019
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice P. N. Dixit (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. R. M. Kolge Advocate for Applicant Shri/Smt. K. S. Gaikwad Ld. CPO / PD for the Respondent/s</p> <p>Adj. To: 30/4/2019</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>V.L. Kardile ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that copy of the proposal in respect of the applicant would be brought on record. He seeks adjournment till 30.4.2019.</p> <p>3. S.O. to 30.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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.888 of 2019 with M.A. No.224 of 2019
<p><b>DATE:</b> 26/4/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. Kaustubh Gidh Ld Adv. for Shri Kranti L.C. Ld Advocate for the Applicant Shri/Smt. Neelima Gohad L.C.P.O / P.O. for the Respondent/s</p> <p>Adj. To..... 26/4/2019</p> <p style="text-align: right;"><i>mk</i></p>	<p>A.S. Shirsath &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Kaustubh Gidh, learned Advocate holding for Shri Kranti L.C., learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for Respondents:</p> <p>2. OA and MA will be heard together. Ld. PO seeks four weeks time to file reply.</p> <p>3. S.O. to 7.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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.438 of 2018</u>
<p><b>DATE:</b> <u>26/4/2019</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramieshkhani (Member) A</p> <p><b>APPEARANCE</b> Shri/Smt. : <u>B.R. Deshmukh</u> Advocate for the Applicant Shri/Smt. : <u>K.S. Gaikwad</u> C.P.O/ P.O. for the Respondent/s</p> <p>Adj. To: <u>30/4/2019</u></p> <p style="text-align: right;"><i>SGI</i></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 Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. PO mentions that proposal in respect of applicant would be submitted to respondent no.1 today. Respondent no.1 is directed to mention the time frame in which the proposal would be examined and decision taken.</p> <p>3. S.O. to 30.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 26.4.2019</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.119 of 2019

A.T. Sakore ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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. Bandiwadekar, learned Advocate for Respondent No.4.

2. Ld. PO mentions that the original documents are being provided today for inspection. Ld. Advocates for applicant and respondent no.4 would be made available the necessary original documents for inspection.

3. Ld. PO states that reply would be filed thereafter within two weeks.

4. As the OA has been filed in time, the Ld. Advocate for the applicant prays that rule of one year for the waiting list should not come in his way.

5. S.O. to 3.6.2019.

Sd/-

(P.N. Dixit)  
Member (A)  
26.4.2019

(sgl)

DATE: 26/4/2019

CORAM:

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

APPEARANCE:

Shri/Seat: B.R. Deshmukh

Advocate for the Applicant

Shri/Smt.: K.S. Gaikwad Ld.  
G.P.O./P.O. for the Respondent/s 1 to 3 & 5

Adv. B.A. Bandiwadekar for R.4.

Adj. To: 26/4/2019

**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.324 of 2018

D.A. Dalvi ..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 Respondents.

2. Ld. Advocate for the applicant mentions that he has been denied consideration for the post of Deputy Director of Vocational Education as there is Open Enquiry by the ACB against him.

3. The respondents no.1 & 2 are directed to state approximate time in which the Open Enquiry is likely to be concluded.

4. S.O. to 10.6.2019. Steno copy and hamdast is granted. Ld. CPO is directed to communicate this order to the respondents.

DATE: 26/4/2019

CORAM:

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

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

APPEARANCE:

Shri. K.R. Jagdale

Advocate for Applicant

Shri. S.P. Manchekar

Chief Presenting Officer Respondent/s

Ad. To 10/6/2019

Sd/-

(P.N. Dixit)  
Member (A)  
26.4.2019

(sgj)