

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI  
ORIGINAL APPLICATION NO.443 OF 2014**

**DISTRICT :**

Shri Hiralal R. Jadhav ..Applicant  
Versus  
The State of Maharashtra & Ors. ..Respondents

Shri H.R. Jadhav – Applicant-in-person  
Ms. Savita Suryawanshi – Presenting Officer for the Respondents

CORAM : Shri Justice A.H. Joshi, Chairman  
Shri Rajiv Agarwal, Vice-Chairman  
DATE : 27<sup>th</sup> March, 2017

**ORDER**

1. Heard Shri H.R. Jadhav, Applicant-in-person and Ms. Savita Suryawanshi, learned Presenting Officer for the Respondents.
2. Applicant in person prays for leave to amend and has tendered draft amendment.
3. Leave to amend as per the draft amendment tendered by the applicant is granted.
4. The draft amendment is taken on record. Copy of amendment is served on the Ld. PO for the respondents.



5. Learned PO prays for time for filing reply.
6. Party in person argued that case involves narrow point of non observance or failure to observe imperative procedure laid down by the Hon'ble Supreme Court in **VISHAKA AND OTHERS VERSUS STATE OF RAJASTHAN AND OTHERS, (1997) 6 SCC 241** as adopted in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, namely:-
- (i) Whether an enquiry headed by an women officer into the grievance of sexual harassment before commencement of further steps prescribed in the guidelines/rules is imperative in terms of the procedure and directions contained in Vishaka's case, is a condition precedent?
  - (ii) Shall entire action taken by employer vitiate and case of enquiry ought to go back to the stage of committee to be headed by an women officer?
7. Normal/routine procedure in the hearing of the OA would be to secure reply of the Respondent-State to the OA. However, it prima facie appears that the question argued by the applicant and pressed through amendment goes to the root of the case and rest of the averments and pleadings may have comparatively lesser significance at this stage. Therefore, this Tribunal considers it to be necessary that, for the present, the respondent-State be directed to furnish reply on limited points. Moreover, this reply must come from the very senior officer, who can have capacity and aptitude to understand the issue and secure appropriate decision from the Government.
8. Therefore, Ld. PO was called to furnish the name of Secretary who deals with the present issue.



9. Ld. PO on taking instructions has furnished the name of Mr. Shrikant Singh, Principal Secretary (Appeal & Safety), Home Department, Prison-1, Mantralaya, Mumbai.

10. Mr. Shrikant Singh, Principal Secretary (Appeal & Safety), Home Department, Prison-1, Mantralaya, Mumbai is directed as follows:

- (a) To call for the papers of present OA and related files from the department/desk concerned.
- (b) Read the OA and all other papers himself and form an opinion as to:-
  - (i) What are the steps and stages to be observed while processing and enquiring a complaint of sexual harassment of a female Govt. servant at place of work along with natural and/or prescribed sequence thereof?
  - (ii) It is necessary for the Government to strictly adhere to the Vishaka guidelines as mandatory steps?
  - (iii) Are all these steps and their sequence observed on facts in present case as emerging from record?
  - (iv) Decide the course of action the government should adopt in the present case, in case he finds that steps/mandatory sequence is not observed/followed?

11. In the event the Secretary comes to conclusion that the applicant's plea and contention is not sustainable in the light of reported judgments relied upon by the applicant and placed on record with the amendment, he would be free to file detailed affidavit in reply.

12. In the event the Government decides to adhere to the Vishaka guidelines and for that purpose Secretary is likely to withdraw the charge sheet with liberty to proceed in accordance to Vishaka guidelines and the Act of 2013, in that event it shall not be necessary to file detailed

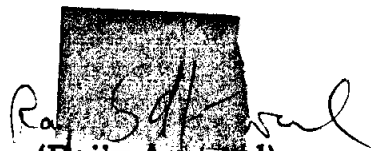


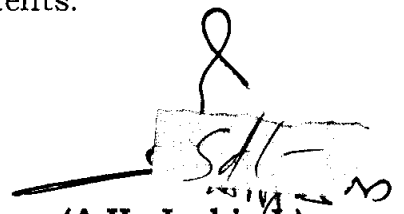
affidavit, answering the OA and he shall then disclose the course of action which he proposes to adopt.

13. Ld. PO is called to take instructions and state as to the time frame within which the action, if any, as indicated in the foregoing paras would be taken. Upon taking instructions, Ld. PO states that three weeks time may be required.

14. In view of the statement of Ld. PO, adjourned to 20.4.2017.

15. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.

  
**(Rajiv Agarwal)**  
**Vice-Chairman**  
**27.3.2017**

  
**(A.H. Joshi, J.)**  
**Chairman**  
**27.3.2017**

Dictation taken by: S.G. Jawalkar.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**

**MUMBAI**

**Original Application No. 140 of 2017**

**DISTRICT :**

**Shri A.V. Veer & Ors. ...Applicants**

**Vs.**

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

Shri A.V. Bandiwadekar, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

**CORAM : Justice Shri A.H. Joshi, Chairman.**  
**Shri Rajiv Agarwal, Vice-Chairman.**

**DATE : 27.03.2017**

**PER : Justice Shri A.H. Joshi, Chairman.**

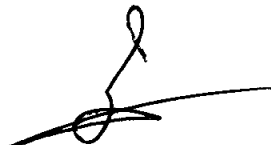
**ORDER**

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

2. Learned Advocate for the Applicants Shri A.V. Bandiwadekar states as follows:-

Affidavit of service would be filed during the course of the day.

3. Learned P.O. for the Respondents prays for two weeks time for filing reply.



4. Learned Advocate for the Applicants Shri A.V. Bandiwadekar points out that the question involved in the present case is extremely narrow and he opposes grant of longer time for filing affidavit in reply. He points out that the direction given to the Respondents in the operative order was as follows:-

“fix their pay on appointment as Assistants/Sales Tax Inspectors as per Rule 8 of the Maharashtra Civil Services (Revised Pay), 2009 expeditiously preferably within a period of three months from the date of this order”.

(quoted para no.17 of order at page no.77)

5. The direction quoted in foregoing para was given in the light of discussion contained in para no. 16 seen at page no.75 to 77 of the paper book. Learned Advocate for the Applicants further points out that the relevant portion contained in para no.16 of the judgment in O.A.No.626 and 646 of 2014 concludes the issue since a finding is recorded therein as follows:-

“.....  
It appears that Pay Anomaly Committee had also not considered this issue. However, considering the fact that the rationale ad purpose of appointment on the basis of Limited Competitive Departmental Examination is similar to that of direct recruitment, and both encourage talent in the Government, the Applicants are closer to direct recruits than promotes. The Applicants, therefore, deserved to be treated as direct recruits.”

(quoted from page no.76 and 77 of the O.A.)

6. Learned Advocate for the Applicants Shri A.V. Bandiwadekar further submits that while Applicants representation/ question for grant of proper pay scale was considered by the Government, the adjudication done by this Tribunal and finding thereon recorded in para no.16, text whereof is quoted in foregoing paragraph, is totally disregarded by the Government/ Secretary concerned.

7. In the background of aforesaid statement, it has become necessary to know the point of view of the Secretary concerned as to what rational he adopts to interpret or deviate from the judicial pronouncement referred to in foregoing para no.5.

8. Therefore, learned P.O. for the Respondents was called to state the name of the incumbent holding the post of Additional Chief Secretary, Finance Department.

9. Learned P.O. for the Respondents has furnished the name of incumbent as follows:-

Shri V. Giriraj, Additional Chief Secretary, Finance Department.

10. Shri V. Giriraj, Additional Chief Secretary, Finance Department is directed as follows:-

- (a) He should call for and read entire case paper of the present O.A. and office file in that regard, and the judgment/order in O.A.Nos.626 &646 of 2014 aforesaid.
- (b) He should give special attention to para no.16 and in particular last paragraph thereto which is quoted in para no.5.
- (c) After reading he should form an opinion as to whether in his point of view this Tribunal has adjudicated the entitlement of the Applicants as to proper pay of scale etc. in the manner decided in the said O.A.
- (d) If he holds a view that no adjudication is done what is reason leading to his opinion or foundation thereof.
- (e) If he holds a view that the adjudication is done, reasons due to which he has deviated from the findings aforesaid.

11. After the exercise indicated in foregoing paragraph, the Additional Chief Secretary is directed to file affidavit on following points:-

- (a) In the background of the judgment of this Tribunal in O.A.Nos.626 & 646 of 2014, is it open for the Department to propose adverse to the Tribunal's finding?
- (b) Is it open for the Government to disregard the judgment, order and fact finding which this Tribunal has done while deciding O.A.Nos.626&646 of 2014 so long those are in operation.
- (c) Would the Secretary like to vary the stance of the Department and would he pursue the Government for taking action in consonance with the findings recorded in O.A.Nos.626 & 646 of 2014.

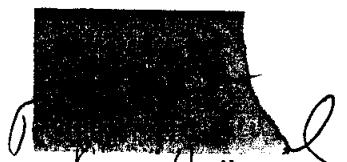
12. In case the Secretary wants to amend his stance, he will be free to do so and file suitable affidavit.

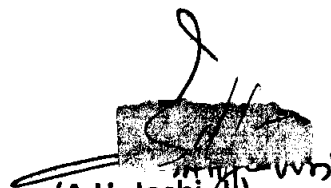
13. For this purpose time is granted till next date.

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

15. Steno copy and Hamdast is allowed.

16. S.O. to 12.04.2017.

  
(Rajiv Agarwal)  
Vice-Chairman

  
(A.H. Joshi, J)  
Chairman

sba



## 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>27/3/17</u></p> <p><b>CORAM:</b>            Hon'ble Justice A. H. Joshi (Chairman)            Hon'ble Justice <u>Rajiv Agarwal</u> (Member)</p> <p><b>APPEARANCE:</b>            Shri/Smt. <u>A.V. Bandiwadekar</u>            Advocate for the Applicant            Shri/Smt. <u>A.J. Chougule</u>            C.P.O./P.O. for the Respondent/s</p> <p>Adj. To. <u>20/4/17.</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p><b>Date : 27.03.2017.</b></p> <p style="text-align: center;"><b>O.A.No.231 of 2017</b></p> <p><b>R.T. Awate</b> ...Applicant.</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> .....Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Shri A.J. Chougule, the learned Presenting Officer for the Respondents prays for two week's time for filing affidavit-in-reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 20.04.2017.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p><i>[Signature]</i></p> <p>(Rajiv Agarwal) Vice-Chairman</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p><i>[Signature]</i></p> <p>(A.H. Joshi (J.)) Chairman</p> </div> </div> <p style="margin-top: 10px;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No. \_\_\_\_\_ sba  
of 20 \_\_\_\_\_ 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: <u>27/3/17</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>Rajiv Agarwal</u> (Vice-Chairman)</p> <p>APPEARANCE By <u>M.D. Lonkar</u> Advocate for the Applicant Shri <u>S. Suryawanshi</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To: <u>6/4/2017</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 27.03.2017</p> <p style="text-align: center;">O.A.N.139 of 2017</p> <p>B.R. Ballana &amp; Ors. ....Applicants</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 Applicants and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. After hearing for some time it has transpired that reply of the State is not considered necessary considering limitations of grounds of challenge.</p> <p>3. Learned Advocate for the Applicants was called to state whether the Applicants are willing to withdraw the O.A.</p> <p>4. Learned Advocate for the Applicants prays for time to consult the Applicants.</p> <p>5. Time as prayed for is granted.</p> <p>6. S.O. to 06.04.2017.</p> <p style="text-align: center;">Sd/- <span style="float: right;"><i>[Signature]</i></span></p> <p style="text-align: center;">(Rajiv Agarwal) <span style="float: right;">(A.H. Joshi, J.)</span> Vice-Chairman <span style="float: right;">Chairman</span></p> <p>sba</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 27/3/17</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajiv Agarwal (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. A.V. Bandiwadkar Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O / P.O. for the Respondent/s</p> <p>Adj. To. 6/4/2017</p>	<p>Date : 27.03.2017</p> <p>O.A.N.40 of 2017</p> <p>T.P. Rathod .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri A.V. Bandiwadkar prays for leave to amend for elaborating averments relating to lack of competence to appoint an Enquiry Officer other than one, who is Regional Enquiry Officer, and prays for leave to amend and undertakes to carry out amendment within two weeks.</p> <p>3. Leave to amend as prayed for is granted.</p> <p>4. Learned P.O. for the Respondents Smt. K.S. Gaikwad states that affidavit-in-reply to the O.A. is ready and is to be filed, however, since the O.A. is sought to be amended, the affidavit of Government would be filed after amendment of the O.A.</p> <p>5. S.O. to 6.04.2017 for reply as to compliance of leave to amend.</p> <p>Sd/- Sd/-</p> <p>(Rajiv Agarwal) (A.H. Joshi, J.) Vice-Chairman Chairman</p>

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

Tribunal's orders

Date : 27.03.2017.

M.A.No.54 of 2017 in O.A.No.321 of 2015

D.L. Bhalerao & Ors.

...Applicants.

Versus

The State of Maharashtra & Ors.

.....Respondents

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicants and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Accepting the grounds and reasons incorporated in the M.A. adequate, M.A. is allowed in following terms :-

- (a) Applicants shall prepare and furnish the draft of public notice before the Registrar.
- (b) Registrar shall correct, settle and decide the same and authenticate for publication.
- (c) Applicants shall collect the authenticated notice from the Registrar and get it published at his own costs in the edition of Daily Lokmat newspaper which may be having circulated in entire Maharashtra.
- (d) Applicants shall file affidavit of compliance of Publication of public notice within five weeks from today.

3. Notice may be displaced even on the official web-site of the Tribunal.

4. The Director General of Police is directed to cause the publication of intimation of fact of public notice on their web-site, if any, and on notice board of all units.

5. Date for appearance of those who are willing to appear with applicants, for leave to represent shall be 15.06.2017.

6. Hamdast and steno copy is allowed.

7. S.O. to 15.06.2017.

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Sd/-

(A.H. Joshi)  
Chairman

DATE: 27/3/17

CORAM:

Hon'ble Justice S.H. Joshi (Chairman)  
Hon'ble Justice Rajiv Agarwal (Vice-Chairman)

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

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

Adj. To: 15/6/2017

BE

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> 27/3/17</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member)</p> <p><b>APPEARANCE:</b> Shri/Smt. : M.D. Lonkar Advocate for the Applicant Shri /Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s Adj. To. 17/4/17</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p>Date : 27.03.2017.</p> <p>O.A.No.407 of 2013</p> <p>M.R. Shaikh &amp; Ors. ...Applicants. Versus The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicants and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. Due to paucity of time adjourned to 17.04.2017.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Rajiv Agarwal) <span style="float: right;">(A.H. Joshi)</span> Vice-Chairman <span style="float: right;">Chairman</span></p> <p>prk</p>

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

Tribunal's orders

O.A. No.256 of 2017

Shri R.K. Shirsath

... Applicant

V/s.

The State of Mah. & ors.

... Respondents

Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned P.O. for the Respondents.

Issue notice returnable on 10.04.2017.

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

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.

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.

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 four weeks. Applicant is directed to file Affidavit of compliance and notice.

S.O. to 10.04.2017. Learned P.O. do waive service.

Liberty reserved for seeking interim relief.

Sd/-

(R.B. Malik)  
Member (J)  
27.03.2017

(vsm)

DATE: 27/3/17

CORAM:

Hon'ble Shri. RAJ V. AGARWAL  
(Vice-Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.J. Chougule

C.P.O./P.O. for the Respondents

Adj. To: S.O. to 10/4/17

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

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

**Tribunal's orders**

**O.A. No.136 of 2017**

**Shri C.D. Panem & Ors. ... Applicants**

**V/s.**

**The State of Mah. & ors. ... Respondents**

Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. Kranti Gaikwad, the learned P.O. for the Respondents.

The learned P.O. vide strongly objecting the grant of any interim relief, prays for time to file reply.

I have heard both the sides. Since that by somewhat general orders of 14.03.2017, it is directed that the employees like the Applicants would stand terminated w.e.f. 31.03.2017. Perusal of the record shows that there are arguable points and the whole thing cannot just be dismissed out of hand. It is, therefore, directed that till the date of filing of the reply, the Respondents shall not terminate the Applicants.

S.O. to 18.04.2017.

Sd/-

*MC*

(R.B. Malik)  
Member (J)  
27.03.2017

*27.03.17*

(vsm)

DATE: 27/3/17

CORAM:

~~Hon'ble Smt. RAJIV AGARWAL  
(Vice Chairman)~~

Hon'ble Smt. R. B. MALIK (Member) ✓

APPEARANCE:

Smt/Sri Punam Mahajan  
Advocate for the Applicant

Smt/Sri K.S. Gaikwad  
C.P.O./P.O. for the Respondents

Adj. To S.O. to 18/4/17

*MC*

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

Date: 27.03.2017.

O.A.No.1192 of 2016

K.D. Binner & Ors. ...Applicants.

Versus

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

1. Heard Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.
2. Dr. G. Sadavarte, the learned Advocate for the Applicants is absent.
3. Ms. N.G. Gohad, the learned Presenting Officer for the Respondents wants two week's time for filing reply on the ground that draft reply be send to the Mantralaya for approval.
4. Ms. N.G. Gohad, the learned Presenting Officer for the Respondents is directed to take instructions on the following point :-
  - (a) Whether the O.A. is required to be contested, claim and prays contained in the O.A. being without legal right.
  - (b) Depending on what statement would be made by learned P.O. question as to how much time should be granted would be considered.
5. For making a statement as to need to contest, adjourned to 03.04.2017.

DATE 27/3/2017

CCR No.

Hon'ble Justice H. Joshi (Chairman)

Hon'ble Justice Rajiv Agarwal (Member)

Hon'ble Justice Rajiv Kumar (Member)

(Vice-Chairman)

DR. G. Sadavarte

Advocate for the Applicant

MS. N.G. Gohad

Advocate for the Respondent/s

Adj. To 03/4/2017

prk

Sd/-

(Rajiv Agarwal)  
Vice-Chairman

Sd/-

(A.H. Joshi)  
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>DATE: <u>27/3/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Justice <u>Rejiv Agarwal</u> (Vice-Chairman) Hon'ble Justice <u>Kumar</u> (Member) A</p> <p>APPEARANCE: Shri <u>B. A. Bandiwadekar</u> Advocate for the Applicant Smt <u>K. S. Gaikwad</u> S.O./P.O. for the Respondent/s</p> <p>Adj. To <u>19.06.2017</u></p> <p style="text-align: center;">②</p>	<p>Date : 27.03.2017.</p> <p style="text-align: center;">O.A.No.166 of 2017</p> <p>S.L. Jadhav ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. In view that affidavit of service is not filed, let the O.A. come up for hearing on 19.06.2017.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Rejiv Agarwal) Vice-Chairman</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.H. JOSHI) Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>27.03.2017</u></p> <p>CORAM: Hon'ble Justice S. H. Joshi (Chairman) Hon'ble Justice <u>Rajiv Agarwal</u> (Vice-Chairman) Hon'ble Justice <u>Anant Vadgaonkar</u> (Member) A</p> <p>APPEARANCE: For Applicant: <u>Anant Vadgaonkar</u> For Respondent/s: <u>A. J. Chougule</u></p> <p>Adj. To: <u>07.06.2017</u></p> <p style="text-align: center;">②</p>	<p>Date : 27.03.2017.</p> <p style="text-align: center;">O.A.No.51 of 2017</p> <p>Dr. S.B. Deshmukh ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Shri Anant Vadgaonkar, the learned Advocate for the Applicant is absent.</p> <p>3. Shri A.J. Chougule, the learned Presenting Officer for the Respondents states as follows :- Today instructions are received to pray for adjournment for four week's for filing affidavit-in-reply.</p> <p>4. Time as prayed for is granted by way of last chance.</p> <p>5. Adjourned to 07.06.2017.</p> <p style="text-align: center;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/- (A.H. Joshi) Chairman</p> <p>prk</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> <u>27/3/2017</u></p> <p><b>CORAM:</b>  Hon'ble Justice Shri A. H. Joshi (Chairman)  Hon'ble Shri <sup>Rajiv Agarwal</sup> <del>M. Ramesh Kumar</del> (Member) A  Vice-Chairman</p> <p><b>APPEARANCE:</b>  Shri/Smt. <u>Ms. S.P. Manchekar</u>  Advocate for the Applicant  Shri/Smt. <u>Ms. N.G. Gohad</u>  P.O. for the Respondent/s</p> <p>Adj. To <u>06/4/2017</u></p> <p style="text-align: center;">@</p>	<p><b>Date : 27.03.2017.</b></p> <p style="text-align: center;"><b>O.A.No.70 of 2017</b></p> <p><b>Y.M. Patil &amp; Ors. ...Applicants.</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Respondents</b></p> <p>1. Heard Ms. S.P. Manchekar, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Ms. N.G. Gohad, the learned Presenting Officer for the Respondents prays for a week's time for filing affidavit-in-reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 06.04.2017.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Rajiv Agarwal) <span style="float: right;">(A.H. Joshi)</span>  Vice-Chairman <span style="float: right;">Chairman</span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>27/3/2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>Rajiv Agarwal</u> (Vice-Chairman) Hon'ble Shri <u>M. K. Kulkarni</u> (Member)-A</p> <p>APPEARANCE: Shri/Smt. <u>A. V. Bandiwadkar</u> Advocate for the Applicant Shri/Smt. <u>A. J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To: <u>11.04.2017</u></p>	<p>Date : 27.03.2017</p> <p>O.A.N.1087 of 2014</p> <p>S.S. Nalavade ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Shri Rajendra Mangrulkar, Former Secretary of M.P.S.C. is present. Now he retired from the Government Service. He has tendered affidavit-in-reply. It is taken on record.</p> <p>3. Shri Rajendra Mangrulkar states that omissions of affidavit-in-reply had occurred and he would like to give proper explanation and prays for two weeks time for filing reply.</p> <p>4. Time as prayed for is granted.</p> <p>5. S.O. to 11.04.2017.</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Sd/- (A.H. Joshi, Y.) Chairman</p> <p>sba</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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

## FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 27/3/2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajiv Agarkar (Member) A. (Vice-chairman)</p> <p><u>APPEARANCE:</u> Shri B. A. Bandiwadekar Advocate for the Applicant Shri M. N. G. Gohad, C.P.O./P.O. for the Respondent/s</p> <p><u>Adj. To:</u> 03.04.2017</p> <p style="text-align: center;">(F)</p>	<p>Date : 27.03.2017.</p> <p style="text-align: center;">O.A.No.123 of 2017</p> <p>M.K. Jadhav ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Shri B.A. Bandiwadekar, the learned Advocate for the Applicant prays for time for filing affidavit in service.</p> <p>3. Time as prayed for is granted.</p> <p>4. Adjourned to 03.04.2017, for further orders.</p> <p style="text-align: center;">prk</p> <p style="text-align: center;">Sd/- (Rajiv Agarkar) Vice-Chairman</p> <p style="text-align: right;">Sd/- (A.H. Joshi J.) Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>27.03.2017</u></p> <p>CLERK: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri R. Jiv Agarwal (Vice-Chairman)</p> <p>APPEARANCE: Shri <u>B.A. Bandiwadekar</u> Advocate for the Applicant Shri <u>Ms. S. Suryawanshi</u> C.P.O./P.O. for the Respondents</p> <p>Adj. To <u>03.04.2017</u></p> <p style="text-align: center;">(3)</p>	<p>Date : 27.03.2017.</p> <p style="text-align: center;">O.A.No.56 of 2017</p> <p>A.S. Chavan ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Shri B.A. Bandiwadekar, the learned Advocate for the Applicant prays for time for filing affidavit in service.</p> <p>3. Time as prayed for is granted.</p> <p>4. Adjourned to 03.04.2017, for further orders.</p> <p style="text-align: center;">prk</p> <p style="text-align: center;">Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/- (A.H. Joshi) 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>DATE: <u>27.03.2017</u></p> <p>CLERK:</p> <p>Hon'ble Justice Smt. A. H. Joshi (Chairman)</p> <p>Hon'ble Justice <u>Rajiv Agarwal</u> (Vice-Chairman)</p> <p>APPLICANTS:</p> <p><u>Smt. Punam Mahajan</u></p> <p>ADVOCATE FOR APPLICANTS:</p> <p><u>Ms. S. Suryawanshi</u></p> <p>C.P.O./P.O. for the Respondents</p> <p>Adj. To <u>28/4/2017</u></p> <p style="text-align: center;">⑦</p>	<p>Date : 27.03.2017.</p> <p>C.A.No.20 of 2017 in O.A.No.599 of 2016 with C.A.No.21 of 2017 in O.A.No.600 of 2016</p> <p>S.G. Raut (C.A.20/2017 IN O.A.599/2016)</p> <p>D.F. Gaikwad (C.A.21/2017 IN O.A.600/2016)</p> <p style="text-align: right;">...Applicants.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents prays for two week's time.</p> <p>3. Time as prayed for is granted.</p> <p>4. In view of the foregoing adjourned to 25.04.2017.</p> <p style="text-align: center;">prk</p> <div style="display: flex; justify-content: space-around;"> <div data-bbox="858 1753 1098 1877"> <p>Sd/-</p> <p>(<u>Rajiv Agarwal</u>)</p> <p>Vice-Chairman</p> </div> <div data-bbox="1265 1664 1433 1865"> <p>Sd/-</p> <p>(<u>A.H. JOSHI J.</u>)</p> <p>Chairman</p> </div> </div>

**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: <u>27.03.2017</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rajesh Kumar (Member) A</p> <p>APPEARANCE: Shri/Sd/- <u>A.V. Bandiwadekar</u> Advocate for the Applicant Shri/Sd/- <u>N.G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>09.06.2017</u></p> <p style="text-align: center;">(3)</p>	<p>Date : 27.03.2017</p> <p style="text-align: center;">O.A.N.168 of 2017</p> <p>V.L. Rajale .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents prays for time for filing reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 09.06.2017.</p> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> <p>Sd/- (A.H. Joshi, J.) Chairman</p> <p>sb</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Ceram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>27.03.2017</u></p> <p>CURAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <u>Rajiv Agarwal</u> (Member) <u>Vice-Chairman</u></p> <p>APPEARANCE: Advocate for the Applicant Sd/- <u>M. N. G. Gohad</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>O.A. is disposed of</u></p> <p style="text-align: center;">①</p>	<p>Date : 27.03.2017</p> <p>O.A.N.643 of 2016</p> <p>A.Y. Naik &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V.P. Potbhare, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents Ms. N.G. Gohad states as follows:-</p> <p>The process of conferring benefit sought for Applicants is in process.</p> <p>3. Learned Advocate for the Applicants is satisfied with the statement and agrees to the position and states that the O.A. can be disposed of in the light of the statement of the learned P.O.</p> <p>4. In view of the above, O.A. is disposed of accordingly.</p> <p>Sd/- <u>(Rajiv Agarwal)</u> Vice-Chairman</p> <p>Sd/- <u>(A.H. Joshi, J.)</u> Chairman</p> <p>sba</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance; Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 27.03.2017</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramesh Kumar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. T. V. Jadhav Advocate for the Applicant Shri/Smt. Ms. N. G. Gohad C.P.O. for the Respondent/s</p> <p>Adj. To 19.04.2017</p> <p style="text-align: center;">(9)</p>	<p>Date : 27.03.2017.</p> <p style="text-align: center;">O.A.No.1141 of 2016</p> <p>H.D. More ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri T.V. Jadhav, the learned Advocate for the Applicants and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.</p> <p>2. Ms. N.G. Gohad, the learned Presenting Officer for the Respondents prays for two week's time for filing affidavit-in-reply.</p> <p>3. Time as prayed for is granted.</p> <p>4. S.O. to 19.04.2017.</p> <p style="text-align: center;">prk</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/- (Rajiv Agarwal) Vice-Chairman</p> </div> <div style="text-align: center;"> <p>Sd/- (A.H. Joshi) Chairman</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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>27/3/2017</u></p> <p><b>CORAM:</b>  Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u>  Hon'ble <u>Shri M. Rameshkumar (Member) A</u>  Vice-chairman</p> <p><b>APPEARANCE:</b>  Shri/Smt. <u>None for the Applicant</u></p> <p><b>Advocate for the Applicant</b>  Shri/Smt. <u>M.S. S. Suryawanshi</u></p> <p><b>G.P.O./P.O. for the Respondent/s</b></p> <p><b>Adj. To</b> <u>5.04.2017</u></p> <p style="text-align: center;">(S)</p>	<p><u>C.A. No.16 of 2017 in O.A. No.611 of 2015</u></p> <p>Shri A.A.G. Patel ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>None for the Applicant. Heard Ms. Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO adjourned to 5.4.2017.</p> <p style="text-align: center;">Sd/-  (Rajiv Agarwal) Vice-Chairman  27.3.2017</p> <p style="text-align: center;">Sd/-  (A.H. Joshi, J) Chairman  27.3.2017</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. of 20

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**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE:</b> <u>27/3/17</u></p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri <sup>Rajiv Agarwal</sup> M. Rameshkumar (Member)</p> <p><b>APPEARANCE:</b> Shri/Smt. : <u>R. G. Walia</u> Advocate for the Applicant Shri/Smt. : <u>S. Suryawanshi</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>29/3/17</u></p> <p style="text-align: right;"><i>ME</i></p>	<p>Date : 27.03.2017.</p> <p>M.A.No.138 of 2017 in O.A.No.219 of 2017</p> <p>S.V. Thakurdesai ...Applicant.</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents</p> <p>1. Heard Shri R.G. Walia, the learned Advocate for the Applicants and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 29.03.2017, at the bottom of board.</p> <p style="text-align: center;">Sd/- <i>l</i> Sd/- <i>^</i></p> <p style="text-align: center;">v (Rajiv Agarwal) (A.H. Joshi) Vice-Chairman Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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>27/3/17</u></p> <p><b>CORAM:</b> Hon'ble Justice <u>A.H. Joshi (Chairman)</u> Hon'ble Justice <u>Rajiv Agarwal (Member)</u></p> <p><b>APPEARANCE:</b> <b>Shri/Smt.:</b> <u>R. F. Walia</u> <b>Advocate for the Applicant</b> <b>Shri/Smt.:</b> <u>K. S. Gaikwad</u> <b>C.P.Q / P.O. for the Respondent/s</b></p> <p><b>Adj. To:</b> <u>29/3/17</u></p> <p style="text-align: right;"><i>12/25 DE</i></p>	<p><b>Date : 27.03.2017.</b></p> <p><b>M.A.No.139 of 2017 in O.A.No.219 of 2017</b></p> <p><b>E.J. Barshinge</b> ...Applicant.</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> .....Respondents</p> <p>1. Heard Shri R.G. Walia, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 29.03.2017, at the bottom of board.</p> <p style="text-align: center;">prk</p> <p style="text-align: center;">Sd/- <u>(Rajiv Agarwal)</u> Vice-Chairman</p> <p style="text-align: center;">Sd/- <u>(A.H. Joshi)</u> Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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>27/3/17</u></p> <p><b>CORAM:</b> Hon'ble Justice A.H. Joshi (Chairman) Hon'ble Sr. Justice <u>Rajiv Agarwal</u> (Member)</p> <p><b>APPEARANCE:</b> Shri <u>R.G. Walia</u> Advocate for the Applicant/s</p> <p>Shri/Son <u>A.J. Chougule</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj. To <u>29/3/17</u></p> <p style="text-align: right;"><i>prk</i></p>	<p><b>Date : 27.03.2017.</b></p> <p><b>M.A.No.140 of 2017 in O.A.No.239 of 2017</b></p> <p><b>P.S. Pereira</b> ...Applicant.</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> .....Respondents</p> <p>1. Heard Shri R.G. Walia, the learned Advocate for the Applicants and Shri A.J. Chougule, the learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 29.03.2017, at the bottom of board.</p> <p style="text-align: center;">Sd/- <i>l</i> (Rajiv Agarwal) Vice-Chairman</p> <p style="text-align: right;">Sd/- <i>l</i> (A.H. Joshi) Chairman</p>

# FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

**O.A. No.129 of 2017**

**Shri A.D. Jadhav**

**... Applicant**

**V/s.**

**The State of Mah. & ors.**

**... Respondents**

Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms N.G. Gohad holding for Ms S. Suryawanshi, the learned P.O. for the Respondents.

Shri M.D. Lonkar, the learned Advocate for the Applicant makes a statement that the Applicant does not want to file Affidavit-in-Rejoinder.

Original Application is admitted and appointed for final hearing on 10.04.2017.

Sur-Rejoinder, if any, must be filed on that day and not thereafter.

S.O. to 10.04.2017.

Sd/-

(R.B. Malik) 21.3  
Member (J)  
27.03.2017

DATE: 27/3/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~  
(Vice Chairman)

Hon'ble Shri R. B. MALIK (Member)

APPEARANCES:

Shri M.D. Lonkar

~~Advocate for the~~  
Ms. S. Suryawanshi

Reply filed by Res. No. 1.

10/4/17  
O.A. is admitted.

(vsm)

**FARAD CONTINUATION SHEET NO.**

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

Tribunal's orders

**O.A.261/2017**

**Mr. M.S. Patil** ... **Applicant**  
**Vs.**  
**The State of Mah. & ors.** ... **Respondents**

Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Mrs. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

This recently instituted OA is placed for consideration of urgent interim orders.

The Applicant who is working as District Superintendent of Land Records, Pune has been transferred to the same post at Bhandara. He has impugned that order of transfer on several grounds. I shall not express anything which is strictly not necessary to be mentioned at this stage lest one or the other party might complain of prejudice. One aspect of the matter is very clear that this matter is governed by the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (Transfer Act).

In supporting the order of the transfer, Mrs. Gaikwad, the learned PO invites reference to the Revenue & Forest Department's G.R. of 20<sup>th</sup> June, 2016 and she submits that the power to transfer the Officer of the rank of the Applicant has been delegated to the Divisional Commissioner by the Hon'ble Minister.

I again as of today express no opinion thereabout, but one aspect of the matter is absolutely clear and that is, that admittedly, the approval of the next higher authority who in this case is the Hon'ble Chief Minister has not been taken. I have perused the relevant papers and furnished for that purpose and handed them back to the learned PO. But as I mentioned just now, the provisions of Section 4(4) proviso (ii) is apparently not complied with, and therefore, regulated by the law such as it is, I am so disposed as to grant interim relief till the date next to the filing of the reply. The operation of the impugned order in so far as the Applicant is concerned is stayed till the date next to the filing of the Affidavit-in-reply by the Respondents and it is directed till such time as this status quo gets altered one way or the other, the Applicant shall be allowed to continue to function at his present posting.

Issue notice returnable on 11.04.2017.



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

Tribunal ~~make orders~~ case for final disposal at  
this stage and separate notice for final disposal need not  
be issued.

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.

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.

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 four weeks. Applicant is directed to file Affidavit of  
compliance and notice.

S.O. to 11<sup>th</sup> April, 2017. Hamdast.

Sd/-

(R.B. Malik) S-17  
Member (J)  
27.03.2017

(skw)

DATE: 27/3/17

CORAM:

~~Hon'ble Shri. RAJIV AGARWAL~~

~~(Vice Chairman)~~

Hon'ble Shri R. B. MALIK (Member) J

APPEARANCE:

Shri/Shri. Pankaj Mahajan

Advocate for the Applicant

Shri/Shri. K.S. Gaikwad

CPO/CO. for the Respondents

Adj. To S.O. to 11/4/17

Hamdast

*[Signature]*