

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="764 431 964 460">Date : 27.03.2019.</p> <p data-bbox="850 484 1338 513">M. A. No.145 of 2019 in O.A.No.338 of 2018</p> <p data-bbox="764 537 1328 566">Dr. Anil B. Band .....Applicant</p> <p data-bbox="764 599 837 628">Versus</p> <p data-bbox="764 663 1349 692">The State of Maharashtra &amp; Ors. ...Respondents.</p> <p data-bbox="764 727 1425 851">1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p data-bbox="764 875 1425 999">2. The Applicant has filed the present O.A. for grant of Non Practicing Allowance (NPA) at par with Medical Officer working in Public Health Department.</p> <p data-bbox="764 1024 1425 1329">3. The Applicant now wants to amend the O.A. as well as prayer clause in view of the subsequent event i.e. issuance of G.R. dated 26.11.2018 and to show that some of the grievance stands redressed in terms of the said G.R. At the same time he wants to show how he is entitled to his remaining grievance in view of the discrepancy in G.R. dated 26.11.2018.</p> <p data-bbox="764 1353 1425 1519">4. Having gone through the O.A. as well as amended application, I am satisfied that it being subsequent event, amendment is necessitated to adjudicate the grievance of the Applicant.</p> <p data-bbox="764 1543 1386 1572">5. In view of above, the Misc. Application is allowed.</p> <p data-bbox="764 1597 1425 1720">6. Amendment be carried out within seven days. The Respondents are at liberty to file Affidavit-in-Reply to the amended O.A..</p> <p data-bbox="764 1745 1057 1774">7. 5.O. to 10.04.2019.</p> <p data-bbox="1143 1804 1203 1833">Sd/-</p> <p data-bbox="1089 1864 1256 1931">(A.P. Kurhekar) Member(J)</p> <p data-bbox="748 1937 786 1966">vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 27.03.2019.</b></p> <p style="text-align: center;"><b>O.A.No.286 of 2019</b></p> <p><b>P. B. Satpute</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 D. B. Khaire, learned Advocate for the Applicant, Ms S. Suryawanshi, learned Presenting Officer for the Respondent Nos.1 and 2 and Shri A. V. Bandiwadekar, learned Advocate for the Respondent No.3.</li> <li>2. In the present matter, basically the Applicant has challenged the impugned order dated 02.03.2019 wherein in his post one Shri Sanjay Raut is shown posted. However, there was no transfer and posting order of the Applicant in view of posting of Shri Sanjay Raut in his place. Therefore, he has rushed to this Tribunal under the apprehension that he will be kept waiting for transfer for a longer period.</li> <li>3. It be noted that as per order dated 02.03.2019 its implementation was to take place from 01.04.2019.</li> <li>4. However, today the learned P.O. for the Respondents has tendered a corrigendum dated 27.03.2019 whereby implementation to order dated 02.03.2019 will be given effect after period of the Code of Conduct will over in view of Loksabha Election, 2019.</li> <li>5. In view of above, apprehension of the Applicant that he will be relieved immediately and will be kept waiting for posting does not survive. He will continue at his post till the Code of Conduct is over. Hopefully, thereafter appropriate transfer order of the Applicant will be issued soon.</li> <li>6. Learned Advocate for the Applicant submitted that his client is admittedly due for transfer but due to family difficulties he needs to be accommodated at Mumbai or Thane. So far this aspect is concerned, the Applicant may file the representation raising his grievance before the Competent Authority and it may consider the representation of the Applicant at the time of ensuing general transfers of 2019 as per rules.</li> <li>7. In view of above, the Original Application is disposed of with no order as to costs.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b>  <b>Member(J)</b></p>

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.259 of 2016

Udyog Sanchanalay Kshetra Sahayak Sanghatana

....Applicant

Versus

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

1. Heard Shri D. B. Khaire, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In the present O.A., relief sought is to declare the post of Filled Assistants as a technical post and grant appropriate Pay-Scale and Grade Pay to the Applicants. Presently, the Applicant is working as Filled Assistant and he wants his post be declared as Technical Post which carries higher pay-scale of Filled Assistant.

3. Learned C.P.O. for the Respondents relying upon the judgment of the Hon'ble Supreme Court in 1997 (3) SCC 568 (Union of India V/s. P.V. Hariharan) and submitted that the matter needs to be placed before the Hon'ble Division Bench. Following observations from the judgment of Hon'ble Supreme Court are as follows:-

*"We have come across orders passed by Single Members and that too quite often Administrative Members, allowing such claims. These orders have a serious impact on the public exchequer too. It would be in the fitness of things if all matters relating to pay scales, i.e. matters asking for a higher pay scale or an enhanced pay scale, as the case may be, on one or the other ground, are heard by a bench comprising at least one Judicial Member. The Chairmon of the central Administrative tribunal and the Chairman of the State Administrative tribunal shol' consider issuing appropriate instructions in the matter."*

4. Whereas, as per the office order of 'Allotment of Work', the issue of higher pay-scale / fixation of pay (Sr. No.9) pertains to Single Bench. At the same time, the issue of revision of pay-scale pertains to Division Bench as per Sr. No.9 of the office order.

5. In view of above, the office is directed to examine the matter and place it before the appropriate bench.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate.....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p>O.A.No.160 of 2019</p> <p>A. R. Bhalekar &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicants and Advocate both are absent. Heard Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Respondents have filed their reply.</p> <p>3. The matter pertains to transfer on deputation. Hence, be kept for hearing at the stage of admission.</p> <p>4. S.O. to 25.04.2019.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p>O.A.No.821 of 2018</p> <p>Dr. S. S. Lahade .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Aniket Mukadam holding for Shri A. V. Sakolkar, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 to</li> <li>3. It is taken on record.</li> <li>3. Perusal of the reply reveals that except gratuity and regular pension all other retiral benefits have been released. The gratuity and regular pension seems to have been withheld on account of pendency of the Criminal Case. However, the provisional pension is granted.</li> <li>4. On the request of learned Advocate for the Applicant, the matter is adjourned for hearing at the stage of admission.</li> <li>5. S.O. to 29.03.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p align="center">O.A.No.304 of 2019</p> <p>G. V. Pawar .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the challenge is to the transfer order dated 19.01.2019 whereby the Applicant who is Group-D employee has been transferred from Nashik to Nagpur and by impugned order dated 01.01.2019, he was directed to vacate the quarter within three days. By letter dated 24.01.2019 again the Applicant was directed to vacate the quarter immediately else possession will be taken by the department.</p> <p>3. Learned Advocate for the Applicant sought to contend that the Applicant being Group-D employee, he cannot be transferred out of station in view of section 3(2) of the Transfer Act, 2005 and prayed for interim stay to the impugned transfer order as well as to vacate the quarter.</p> <p>4. At this stage, I am inclined to grant stay to the order to vacate the quarter. Hence, interim relief is granted in terms of prayer clause 10(b) of the application.</p>

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

Tribunal's orders

-2-

5. Issue of grant of interim relief to the impugned order of transfer is kept open.

6. Issue notice before admission returnable on 03.04.2019.

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

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.

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.

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.

11. 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.

12. 5.O. to 03.04.2019.

13. Hamdast and steno copy is allowed.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p>O.A.No. 44 of 2019</p> <p>D. K. Ambhore .....Applicant Versus The State of Maharashtra &amp; Drs. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired in 2013 but his pensionary benefits were not paid. It appears that the D.E. was initiated against him and punishment of 25% deduction of pension has been imposed as per order dated 01.03.2018. Thus, the D.E. was already completed in terms of passing final order and, therefore, the retiral benefits as per his entitlement were to be released forthwith. As it being not paid, the Applicant has approached this Tribunal.</p> <p>3. This Tribunal on 15.01.2019 has passed 'Speaking Order' with observation that the Applicant has been unnecessarily deprived of getting retiral benefits though the D.E. was finalized long back. Therefore, the Respondent was directed to complete the process of releasing retiral benefits as per his entitlement and to release monetary benefits within two months from the date of order.</p> <p>4. Period of more than two months is over but there is no compliance of the order.</p> <p>5. Today, the learned C.P.O. stated that nobody has come from the department.</p>



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

Tribunal's orders

6. As such, inaction and negligence on the part of the Respondent to release retiral benefits is obvious. Beside even after passing of specific order dated 15.01.2019, the Respondent failed to comply the same. Today, nobody is present from the department to apprise the Tribunal as to what steps are taken to release the retiral benefits.

7. Thus, it is obvious that the Respondent has no regard to the order passed by this Tribunal and there is willful disobedience of the order passed by this Tribunal.

8. In view of above, issue show cause notice to the Respondent as to why action for disobedience of the order passed by this Tribunal should not be initiated against him.

9. Hamdast and steno copy is granted.

10. S.O. to 10.04.2019.

11. After passing the aforesaid order, In second session, the learned C.P.O. submitted that she has taken instructions from the department and she was told that the Applicant himself is not cooperating to finalize the papers and now he is again called to sign the papers.

12. Whereas, the learned Advocate for the Applicant submitted that he will take instructions from the Applicant and will make necessary statement on the next date.

13. In view of above, the order of issuance of show cause notice needs to be recalled till next date. Accordingly, the order of issuance of show cause notice for disobedience of the order passed by this Tribunal is recalled.

14. Learned C.P.O. is further directed to instruct the Respondents to release the retiral benefits as per his entitlement immediately and to apprise this Tribunal on the next date about compliance of the order.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.284 of 2019

C.V. Jadhav

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Issue notice before admission returnable on 24.07.2019.

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 24.07.2019.

9. In case departmental enquiry proceeds Applicant shall be entitled to participate without prejudice to his claim in present O.A.. If enquiry is completed, findings should not be proclaimed.

10. Steno copy and Hamdast is allowed.

Sd/-

(A.H. Joshi, J.)  
Chairman

DATE : 27/3/19

CORAM :

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : K.S. Galkwad

C. P.O. for the Respondent/s

Adj./S.O. to 24/7/19

Heard  
order passed in  
Tribunal column

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.298 of 2019

N.B. Mulla  
A.V. Tone

....Applicant.

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 03.05.2019.

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 03.05.2019.

Sd/-

(A.M. JOSHI J.)  
Chairman

prk

DATE : 27/3/19.

CORAM :

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : N.G. Gohad  
C.P.O.R.O. for the Respondents

Ad/S.O. to 31/5/19

Heard  
order passed in  
Tribunal column.

**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 : 27/3/2019  
 CORAM :  
 Hon'ble Justice Shri A. H. Joshi (Chairman)  
 Hon'ble Shri P. N. Dixit Member (A)  
 APPEARANCE :  
 Shri Smt. S. S. Dere .....  
 Advocate for the Applicant  
 Shri Ms. S. P. Manchekar  
 CPO for the Respondent/s  
 Adj./ S.O. to 03/05/2019

Date : 27.03.2019.  
 O.A.No.111 of 2019  
 M.H. Deshmukh .....Applicant.  
 Versus  
 The State of Maharashtra & Ors. ....Respondents.  
 1. Heard Shri S.S. Dere, 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 four weeks time.  
 3. Time as prayed for granted.  
 4. S.O. to 03.05.2019.  
 5. Last candidate to be appointed from open merit list be informed by State that his appointment shall be subject to outcome of this O.A..

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

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><b>DATE :</b> 27/3/2019</p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p><b>APPEARANCE</b> Shri/Smt. U.V. Bhosle with Shri. M.D. Lonkar Advocate for the Applicant</p> <p>Shri/Ms. S.P. Manchekar C.P.O./P.O. for the Respondents</p> <p>Adj/S.O. to 04/04/2019 (Hamdast)</p> <p style="text-align: center;">&amp;</p>	<p><b>Date : 27.03.2019.</b></p> <p style="text-align: center;"><b>O.A.No.215 of 2019</b></p> <p><b>A.N. Bhalchandra</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 U.V. Bhosle, the learned Advocate with Shri M.D. Lonkar, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</li> <li>2. Notice to Divisional Enquiry Officer in the office of Divisional Commissioner, Konkan Division, Mumbai, with directions to show cause as to why enquiry cannot be completed expeditiously, on day to day basis.</li> <li>3. It is hoped that Enquiry Officer would read entire enquiry papers, take steps to complete stage of admission / denial of all documents, by giving notice to the applicant, for which applicant shall appear before enquiry officer tomorrow itself.</li> <li>4. Divisional Enquiry Officer is directed to make the statement as to information ordered in paragraph No.2, on next date.</li> <li>5. Steno copy and Hamdast is allowed to learned P.O. and also to the Applicant.</li> <li>6. Learned P.O. is directed to communicate this order to the Respondents.</li> <li>7. S.O. to 04.04.2019.</li> </ol> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Member(A)</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**

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 : 27.03.2019.

M.A.No.144 of 2019 in O.A.No.264 of 2019

Dr. S.S. Bhujbal & Ors. ....Applicants.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri S.B. Gaikwad, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief 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/-  
(P.N. Dixit)  
Member(A)

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

DATE: 27/3/2019

~~CORAM~~

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

Hon'ble Shri M. V. Mane (Member) A

APPEARANCE :

Shri/Smt. S.B. Gaikwad

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Ad: M.A. is allowed.

*M.V.*

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.264 of 2019

Dr. S.S. Bhujbal & Ors. ....Applicants.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri S.B. Gaikwad, the learned Advocate for the Applicants and Ms. S.P. Manchekar., the learned Chief Presenting Officer for the Respondents.

2. This Tribunal expects the Secretary, Medical Education and Research to discuss the matter with learned C.P.O. and then make a statement before this Tribunal on next date, as to the measures he would take to remedy the injustice caused to the Applicants, in the background that :-

- (a) Facts whereof are already the matter of record of the Government, that though Applicants are working on lower posts work of one or two steps higher in hierarchy is being expected from them.
- (b) This was done without giving designation and pay or allowance, admissible under the rules.
- (c) Prima facie, applicants are entitled to promotion in 50% quota for promotes, as per the recruitment rules.

3. Steno copy and Hamdast is allowed to learned C.P.O..

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

5. S.O. to 29.03.2019.

Sd/-

(P.N) Dixit  
Member(A)

Sd/-

(A.H. Joshi, J.)  
Chairman

DATE : 27/3/2019

CORAM :

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

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

APPEARANCE :

Shri/Smt. S.B. Gaikwad

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj. To 29/3/2019.

**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
	<p>Date : 27.03.2019.</p> <p>O.A.No.303 of 2019</p> <p>M. N. Thosare .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li><li>2. The matter is adjourned for hearing on 03.04.2019.</li><li>3. The issue of interim relief is kept open.</li><li>4. S.O. to 03.04.2019.</li></ol> <p>Sd/-</p> <p>(A.Ā. Kurhekar) Member(J)</p>

vsm



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

Tribunal's orders

Date : 27.03.2019.

O.A.No. 972 of 2018

Dr. S. M. Jadhav

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri D. B. Khaire, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. In the present O.A., initially the challenge was to the transfer order dated 31.05.2018 whereby the Applicant was transferred from Pune to Nagpur.
3. However, during the pendency of this O.A., the Government has issued fresh transfer order dated 20.03.2019 whereby the earlier order of transfer has been cancelled and the Applicant has been posted as Assistant Direction Health Services, Pune.
4. Learned P.O. for the Respondents has also tendered the copy of order dated 20.03.2019. It is taken on record.
4. As such, in view of above, the grievance of the Applicant stands redressed as he was also claiming transfer at Pune which he ~~sought~~ <sup>got</sup> in view of order dated 20.03.2019.
5. For the reason stated above, the Original Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 27.03.2019.

O. A. No. 159 of 2019

V.S. Totawar

....Applicant

Versus

The State of Maharashtra & Ors.

..Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1.

2. Learned P.O. for the Respondent submitted that Affidavit-in-Reply on behalf of the Respondent No.1 will be filed during the course of the day. Statement is accepted. Reply be taken on record. Respondent No.2 is absent though served.

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

4. S.O. 18.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 27.03.2019.
	<p style="text-align: center;">O.A.No.213 of 2019</p> <p>P.M. Lohakare &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Shri M. D. Lonkar, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</li><li>2. Today, the learned P.O. has filed reply on behalf of the Respondent No.3 and submitted that reply on behalf of the Respondent Nos.1 and 2 is not necessary.</li><li>3. The matter is adjourned for hearing at the stage of admission.</li><li>4. S.O. to 12.04.2019.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 27.03.2019.

O.A.No.235 of 2019

R. K. Jamdare

....Applicant

Versus

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

1. Heard Shri C. T. Chandratre, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Today, the learned P.O. has filed reply on behalf of the Respondent No.4 and submitted that reply on behalf of the Respondent Nos.1 to 3 is not necessary.

3. The matter is adjourned for hearing at the stage of admission along with O.A. No.213 of 2019.

4. S.O. to 12.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p style="text-align: center;"><b>O.A.No.241 of 2019</b></p> <p><b>V. V. Punathil</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. In terms of order passed by this Tribunal on 13.03.2019 interim relief was granted by staying the order dated 02.02.2019 whereby the department has cancelled the order of provisional pension.</p> <p>3. Learned Advocate for the Applicant submitted that despite interim relief in favour of the Applicant, the provisional pension is not released.</p> <p>4. Whereas the learned P.O. submitted that instructions have been given to the Respondents to release the provisional pension in view of the order passed by this Tribunal and also seeks two weeks time to file reply.</p> <p>5. Two weeks time is granted for filing reply. Learned P.O. is further directed to ensure the compliance of the interim relief granted by this Tribunal and see that the provisional pension is released.</p> <p>6. Hadamst and steno copy is allowed.</p> <p>7. S.O. to 10.04.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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

Tribunal's orders

Date : 27.03.2019.

O. A. No.301 of 2019

K. D. Likhar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M.B. Kadam holding for Shri C. T. Chandratre, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 24.04.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This Intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 24.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

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

Tribunal's orders

Date : 27.03.2019.

O. A. No.302 of 2019

A. P. Gaikwad

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M. B. Kadam holding for Shri C. T. Chandratre, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 24.04.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 24.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 27.03.2019.</b></p> <p><b>O.A.No.305 of 2019</b></p> <p><b>M. P. Padval</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri S. S. Ghogare, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission returnable on 10.04.2019</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>8. S.O. to 10.04.2019.</p> <p style="text-align: right;">Sd/- W~ (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 : 27.03.2019.

M. A. No.161 of 2019 in M. A. No.162 of 2019 in O.A.No.862  
of 2018 M.A. No.162 of 2019 in O.A.No.862 of 2018

The State of Maharashtra & Ors. ....Applicants  
(Ori. Respondents)

Versus

J. V. Bandgar ...Respondent  
(Ori. Applicant)

1. Heard Ms N. G. Gohad, learned Presenting Officer,  
for the Applicants (Ori. Respondents). None for the  
Respondent (Ori. Applicant).

2. Issue notice before admission returnable on  
10.04.2019.

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

4. Applicant is authorized and directed to serve on  
Respondents intimation/notice of date of hearing duly  
authenticated by Registry, along with complete paper book of  
M.As. 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 three days or  
service report on affidavit is not filed 3 days before  
returnable date, Misc. Applications shall stand dismissed  
without reference to Tribunal and papers be consigned to  
record.

8. S.O. to 10.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 27.03.2019.</b></p> <p><b>M. A. No.11 of 2019 with M.A. No.12 of 2019 in O.A.No.671 of 2018</b></p> <p><b>S. D. Pawar</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M. B. Kadam holding for Shri S. S. Dere, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Issue notice before admission returnable on 18.04.2019.</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 M.A.s. 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, Misc. Applications shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>8. S.O. to 18.04.2019.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

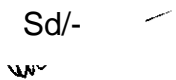
*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p align="center"><b>M. A. No.159 of 2019 in O.A.No.1110 of 2018</b></p> <p>D. K. Kedari .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Sandip Barve, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. has been filed to restore the O.A.No.1110 of 2018 which has been dismissed in default for non-compliance of condition order dated 21.02.2019. As per condition order, the Applicant was required to collect notices within seven days which he failed to collect, therefore, the O.A. has been dismissed in default.</p> <p>3. Learned Advocate for the Applicant submitted that inadvertently notices could not be collected and, therefore, requested to restore the O.A.No.1110/2018.</p> <p>4. O.A. is for grant of pensionary benefits which needs to be decided on merit.</p> <p>5. Hence, for the reasons stated in M.A., O.A.No.1110/2018 is restored to file.</p> <p>6. Misc. Application is disposed of with no order as to costs.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p>

Office Notes, Office Mamoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 27.03.2019.</b></p> <p style="text-align: center;"><b>O.A.No.1110 of 2018</b></p> <p><b>D. K. Kedari</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 Sandeep Burve, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. In view of the order passed in M.A.No.159/2019 in O.A.No.1110.2018, the O.A. which has been dismissed in default for non compliance of condition order of Service of Affidavit has been restored.</li> <li>3. Issue fresh notice before admission returnable on 24.04.2019.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. S.O. to 24.04.2019.</li> </ol> <p style="text-align: right;">Sd/-    (A.P. Kurhekar)  Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 27.03.2019.</p> <p>M. A. No.150 of 2019 in O.A.No.277 of 2019</p> <p>R. S. Phadtare .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri P. P. Deokar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. This Misc. Application is filed for grant of interim relief. In fact, in O.A. also interim reliefs are sought and, therefore, it was not necessary to file M.A..</p> <p>3. The question of grant of interim relief can be considered in O.A.</p> <p>4. Hence, M.A. is disposed of accordingly.</p> <p>Sd/- (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 : 27.03.2019.

O.A.No.277 of 2019

R. S. Phadtare

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri P. P. Deokar, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 25.04.2019.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 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.

8. S.O. to 25.04.2019.

Sd/-

(A.P. Kurhekar)  
Member(J)

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.285 of 2019

S.K. Kalel ...Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 22.04.2019.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within 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.

8. S.O. to 22.04.2019.

9. Reply to paragraphs No.6.11 to 6.20 should be distinctly given by Respondent No.1 himself.

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

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

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

DATE : 27/3/19.

CORAM :

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : N.G. Gohad.

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

Adj.S.O. to 22/4/19

Heard  
order passed in  
Tribunal Coram  
Steno copy and  
Hamdast is  
allowed.

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.295 of 2019

A.S. Lad .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

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

2. Issue notice before admission returnable on 03.05.2019.

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 03.05.2019.

Sd/-

(A.H. Joshi, J.)  
Chairman

DATE : 27/3/19

CORAM :

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : S.P. Manchekar

C.P.O. for the Respondent/s

Adj./S.O. to : 3/5/19

Hand  
order passed in  
Tribunal Colony.



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

Tribunal's orders

Date : 27.03.2019.

O.A.No.296 of 2019

R.S. Shingate .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

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

2. Issue notice before admission returnable on 03.05.2019.

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 03.05.2019.

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

DATE: 27/3/19

CORAM:

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

APPEARANCE:

Shri/Smt. R.S. Shingate

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj/S.O. to 31/3/19

Heard

order passed by  
Tribunal column

**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>27/3/19</u></p> <p><b>CORAM :</b> Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p><b>APPEARANCE:</b> Shri/Smt. <u>A.V. Bandiwadekar</u> Advocate for the Applicant Shri/Smt. <u>K.S. Gaikwad</u> C.P.O.R.O. for the Respondents Adj./S.O. to <u>heard</u> <u>MA is allowed</u></p> <p style="text-align: right;"><u>e</u></p>	<p>Date : 27.03.2019.</p> <p>M.A.No.166 of 2019 in O.A.No.248 of 2014</p> <p>S.Y. Mulgaonkar .....Applicant. Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is for bringing legal representatives on record.</li> <li>3. For the reasons stated therein, M.A.No.166 of 2019 is allowed in terms of prayer clause 7(a).</li> </ol> <p style="text-align: right;">Sd/- (A.H. Joshi), J Chairman</p> <p style="text-align: right;"><u>[Signature]</u></p> <p>prk</p>

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

Tribunal's orders

Date : 27.03.2019.

O.A.No.297 of 2019

A.V. Tone .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 03.05.2019.

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 03.05.2019.

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

prk

DATE : 27/3/19

CORAM:

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

APPEARANCE:

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant -

Shri/Smt. : N.G. Gohad,

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

Ad/S.O. to 3/5/19

Hand  
order passed by  
Tribunal Column.

4

**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 :** 27/3/19  
**CORAM :**  
Hon'ble Justice Shri A. H. Joshi (Chairman)

**APPEARANCE:**  
Shri/Smt. : A.V. Bandiwadkar  
Advocate for the Applicant  
Shri/Smt. : K.S. Gaikwad  
C.P.O.P.O. for the Respondent/s  
Adj.S.O. to Heard  
M.A is allowed

Date : 27.03.2019.

M.A.No.645 of 2018 in O.A.No.696 of 2016

S.V. Raut .....Applicant.  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadkar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.
2. This M.A. is for bringing legal representatives on record.
3. For the reasons stated therein, M.A.No.645 of 2018 is allowed in terms of prayer clause 7(a).

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

prk

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

Tribunal's orders

O.A. No.291 of 2019

S.V. Shinde ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

**DATE :** 27/3/19,

**CORAM :**

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

**APPEARANCE:**

Shri/Smt. K R Jagdale

Advocate for the Applicant

Shri/Smt. K S Gaikwad

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

Adj./S.O. to 24/3/19.

Hand  
order passed in  
Tribunal column.  
Steno copy and  
Hamdast is granted.

2. Issue notice returnable on 22.4.2019 with caution that additional time for affidavit in reply would not be granted in view of averments contained in para 7.6, 7.9 & 7.10 of OA.

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

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

7. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.

Sd/-

(A.H. Joshi, J) Chairman  
27.3.2018

(sgj)

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

Tribunal's orders

O.A. No.254 of 2019

S.A. Pedgaonkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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

2. Issue notice returnable on 3.5.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by hard 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 three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

Sd/-  
(A.H. Joshi)  
Chairman  
27.3.2018

(sgj)

**DATE :** 27/3/19.

**CORAM :**

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

**APPEARANCE:**

Shri/Smt. : K.R. Jagdale

Advocate for the Applicant

Smt. : S.P. Manchekar

Advocate for the Respondent/s

27/3/19.

Heard  
order passed in  
Tribunal Colony.

# 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.43 of 2019
<p><b>DATE:</b> 27/3/2019</p> <p><b>CORAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p><b>APPEARANCE:</b> Shri/s K.R. Jagdale Advocate for the Applicant Shri/s MISS N. G. Gohad G.P.O./P.O. for the Respondent/s</p> <p>Adj. To: 15/4/2019</p> <p style="text-align: right;"><i>Handwritten initials</i></p>	<p>G.P. Deshmukh ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply.</p> <p>3. S.O. to 15.4.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 27.3.2019</p> <p>(sgj)</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.417 of 2018
<p><b>DATE:</b> 27/3/2019</p> <p><b>COBAM:</b> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Ramdas (Member) A</p> <p><b>APPEARANCE:</b> Shri/Smt. Applicant and Advocate for the Applicant are absent. Shri/Smt. MISS A.G. Gohad</p> <p>Ld. P.O. / P.O. for the Respondent/s</p> <p>Adj. To 24/2/19 steno copy and hamdast is granted.</p> <p><i>[Signature]</i></p>	<p>S.G. Jadhav &amp; Ors. ..Applicants - Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicants and Advocate for the Applicants are absent. Heard Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO mentions that parawise comments are still awaited.</p> <p>3. The respondents should depute responsible officer with necessary details on the next date.</p> <p>4. S.O. to 2.4.2019. Steno copy and hamdast is granted. The Ld. PO is directed to communicate this order to the respondents.</p> <p style="text-align: right;">Sd/- <i>[Signature]</i> (P.N. Dixit) Member (A) 27.3.2019</p> <p>(sgj)</p>