

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 28.02.2019.
	<p style="text-align: center;">O.A.No.135 of 2018</p> <p>D. M. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ..Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The matter is adjourned for reply on 13.03.2019.</p> <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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 28.02.2019.</p>
	<p>O.A.No.164 of 2019</p> <p>R. P. DesaiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri A. V. Bandiwadekar, learned Advocate for the Respondent No.2.</p> <p>2. In this matter, the Tribunal by order dated 22.02.2019 granted interim relief and stayed the implementation of the impugned order dated 20.02.2019 whereby the Applicant has been transferred from Tahasildar, Maval, Pune to Assistant Supply Officer, Solapur.</p> <p>3. However, today the learned Advocate for the Applicant has tendered the order passed by the Government dated 25.02.2019 which shows that the Applicant has been reposted at his original place as Tahsildar, Maval, Dist. Pune. He has submitted that his client has taken charge in pursuance of the order passed by the Government on 25.02.2019.</p>

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

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4. Here it is pertinent to note that the Respondent No.2 being aggrieved by the interim relief granted by this Tribunal on 20.02.2019 has preferred W.P. No.2513/2019 before the Hon'ble High Court. However, he has withdrawn the petition and it accordingly came to be disposed of on 26.02.2019. The Hon'ble High Court while disposing the W.P.No.2513/2019 has held as follow:-

"1. The learned Counsel for the petitioner, an instructions, seeks leave to withdraw the petition. The Cousnel further requests that the learned Tribunal be directed to hear and decide Original Application Na.164 of 2019 filed by responent No.2 an the scheduled date, i.e. 28th February 2019.

2. The petition is dispased of as withdraw. The learned Tribunal is requested to hear and decide Original Application Na.164 of 2019 filed by responent No.2,on its avn merits on the date scheduled ar at least hear both the porties on the issue of cantinuation of interim order."

5. In view of the aforesaid developments, learned Advocate for the Applicant submitted that he be allowed to withdraw the O.A.No.104/2019.

6. The Respondent No.2 if feels aggrieved by the order dated 25.02.2019, he is at liberty to avail the legal remedy in accordance to law.

7. In view of above, permission is granted to withdraw the O.A. For the reasons stated above, the Original Application is disposed of with no order as to costs.

Sd/-

^w
(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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 28.02.2019. Tribunal's orders</p>
	<p style="text-align: center;">O. A. No.184 of 2019</p> <p>S. A. SatamApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos. 1 and 2 and Shri M. D. Lonkar, learned Advocate for the Respondent No.3.</p> <p>2. In the present matter, the Applicant is challenging his posting on promotion as Joint District Registrar, Sindhudurg. He claims to be entitled for the said posting at Raigad in pursuance of policy of the Government. However, after approval of the Civil Services Board, some changes seems to have been made at the level of Hon'ble Minister and in place of the Applicant, the Respondent No.3 has been posted. It is on this background, learned Advocate for the Applicant sought interim relief to stay the order dated 18.02.2019.</p> <p>3. Whereas the learned Advocate for the Respondent No.3 stated that his client has already joined at Raigad in terms of order dated 18.02.2019 and, therefore, interim relief should not be granted. He sought three days time to file reply and also fairly concedes that^{to} keep the issue of grant of interim relief open.</p> <p>4. In view of above, at this stage I am not inclined to grant interim relief.</p> <p>5. The Respondents are directed to file the reply on the next date positively.</p>

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

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6. Issue notice before admission returnable on 05.03.2019.
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. S.O. to 05.03.2019.

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>Date : 28.02.2019.</p> <p style="text-align: center;">O.A.No.699 of 2018</p> <p>P. S. SonkananllllApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. K. Hande, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondent Nos.1 to 4. None for the Respondent No.5. 2. In so far as the Respondent No.5 is concerned, by order dated 31.01.2019 notice was issued to him. However, the Applicant failed to take steps to serve the notice on the Respondent No.5. 3. Today, the learned Advocate for the Applicant submitted that inadvertently notice could not be collected from the office for serving on Respondent No.5 and he apologize for the non compliance of the order dated 31.01.2019. 4. In view of above, issue fresh notice to the Respondent No.5 returnable on 28.03.2019. 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 9. In case notice is not collected within 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. 10. S.O. to 28.03.2019 <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Date : 28.02.2019.

O.A.No.56 of 2019

P. V. KadamApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the present matter, the challenge is to the suspension order dated 28.11.2018 whereby the Applicant is kept under suspension stating that the offence has been registered against him and D.E. is contemplated.
3. However, perusal of the FIR reveals that no offence has been registered against the Applicant. The offence are registered against others who were working in Kulgaon-Badlapur Nagpur Parishad in 2015. The FIR seems to have been registered vide Criminal Case No.155/2015 on 19.08.2015 under various provisions of IPC as well as Prevention of Corruption Act. The name of the officers against whom the FIR was registered are Bhalchandra Gosavi, Sunil Dusane, Tukaram Mandekar, Ashok Pedndekar, Kiran Gavale and Nilesh Deshmukh beside the Presidents of Municipal Counsel who held the office from 2010 to 2013 were also shown accused without showing their names. As such, name of the accused is not appearing in FIR. This being the position. The contents of the suspension order that offence has been registered against the Applicant is absolutely incorrect.
4. Learned Advocate for the Applicant has also pointed out that the department has issued charge sheet against the persons who are named in FIR but no charge sheet has been served upon the Applicant till date.
5. Learned P.O. for the Respondents is unable to state the status of investigation in respect of Crime No.155/2015 referred to above. As such, it is not clear as to whether anything has been transpired against the Applicant during the investigation of Crime No.155/2015.
6. The above aspect needs to be clarified by the Respondents. Learned P.O. is, therefore, directed to take instructions on the above point and file reply, if desires otherwise the matter will proceed on merit.

7. S.O. to 14.03.2019.

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 : 28.02.2019.

O.A.No.633 of 2015 with other connected matters

D. G. Pore & Ors.Applicants

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri D. B. Khaire, Shri A. V. Bandiwadekar and Shri K. R. Jagdale, learned Advocates who are appearing on behalf of some of the Applicants and Shri S.K. Nair, learned Special Counsel for the State Government.

2. Today, Shri Nair, Spl. Counsel for the Government has filed reply sworn by Shri Sakharam Kharat, Deputy Secretary, Skill Development and Entrepreneurship Department which is in compliance of the order passed by this Tribunal on 16.02.2019.

3. In Affidavit, it is stated that the Government vide G.R. dated 08.05.2018 has constituted Cabinet Sub Committee under the Chairmanship of Hon'ble Minister, Till date three meetings of the aforesaid Cabinet Sub Committee have taken place but the report of Committee has not been received by the department till date and, therefore, presently no decision is taken on the issue of absorption of 326 Craft Instructors who are presently working on contract basis throughout the Maharashtra.

4. In view of above, learned Spl. Counsel for the State Government requested to adjourn the matter to facilitate the Government to take the decision in this behalf.

5. Thus, it seems that the issue of absorption of 326 Craft Instructors working throughout the Maharashtra is under consideration of Government. As such, the issue is of larger implication and obviously it will take some time for the decision.

6. Hence the matter is adjourned to 11.04.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Date : 28.02.2019. Tribunal's orders

O.A.No.83 of 2019

A. V. Shahane & Ors.Applicants
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Ms N. G. Gohad , learned Presenting Officer for the Respondents.
2. In the present matter, the issue pertains to the non-relieving of the Applicants by the Respondent No.1 so as to join their original posting under the control of the Respondent No.2. The Applicants were appointed as Police Constable on the Establishment of the Respondent No.2 but they have been deputed on the Establishment of the Respondent No.1 in June, 2012 and March, 2013.
3. As observed by this Tribunal in order dated 23.01.2019, the issue involved in the present O.A. has been the subject matter of the decisions rendered by this Tribunal in O.A. No.841/2015 decided on 29.01.2016 as well as O.A. No.237/2016 decided on 22.08.2016. Based on these decisions, the Respondents have taken policy decision as reflected in circular dated 16.07.2018 as well as 02.04.2018 to the effect that the deputation period should not exceed more than five years ^{and on} completion of five years, they should be sent back to their original establishment. Now, the Applicants have completed more than five years period on deputation but they have not been repatriated. Ultimately, they have approached this Tribunal.
4. Today, the learned P.O. for the Respondents has tendered a letter dated 16.02.2019 issued from the office of the Respondent No.1 addressed to the office of Respondent No.2. It is only the correspondence from the Respondent No.1 to Respondent No.2 and nothing else.
5. Today, Shri Ajit Waychal, Sr. Clerk, Motor Transport Department, Mumbai and Ms Pallavi Sonavane, Law Officer, Motor Transport Department are present. On instructions from them, learned P.O. submitted that necessary orders for repatriation of the Applicants will be passed within two weeks from today. Statement is accepted.
6. In view of above, the Original Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders

Date : 28.02.2019.

O.A.No.158 of 2019

S. R. Putta

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has challenged the impugned order dated 03.08.2018 whereby the request of the Applicant for grant of pension has been rejected.
3. Perusal of the record reveals that the Applicant was dismissed from the service after holding regular Departmental Enquiry. However, in Criminal Case he was acquitted by the judgment dated 13.09.2017. The Applicant has made representations on 27.10.2017 and 20.12.2017 contending that in view of acquittal in the Criminal Case, he is entitled to pension and other retiral benefits, which have been rejected by the impugned order dated 03.08.2018.
4. As such, though the relief claimed in the present O.A. in the nature of grant of retiral benefits basically challenge seems to the dismissal order, which pertains to the Division Bench. Unless dismissal order is set aside by competent forum, he cannot ask for relief claimed.
5. In view of above, the Registry is directed to examine the matter and place it before appropriate bench.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 28.02.2019.

O. A. No. 169 of 2019

Dr. S. J. SawantApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 3. Respondent Nos.4 and 5 though served, none appeared for them.

2. However, Smt. Bharati Thakur, Sr. Clerk, Health Department, Zilla Parishad, Sindhudurg is present and tendered a letter dated 27.02.2019 addressed to C.P.O. requesting her to seek eight weeks time to relieve the Applicant.

3. As observed in order dated 25.02.2019 in view of the order passed by the Government on 31.05.2018 the Applicant was required to be relieved immediately.

4. However, though the period of more than nine months is over, they have not been relieved. Scarcity of Medical Officers cannot be the ground not to relieve them in view of specific order dated 31.05.2018 passed by the Government.

5. Except the issue of relieving order, no other issue is involved in the present O.A..

6. In view of above, two weeks time is granted to Respondent Nos.4 and 5 to implement the order dated 31.05.2018 passed by the Government.

7. Hamdast and steno copy is allowed.

8. S.O. to 14.03.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>Date : 28.02.2019.</p> <p>M. A. No.47 of 2019 in O.A.No.135 of 2018</p> <p>D. M. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Misc. Application is filed for amendment to the O.A. whereby the Applicant wants to add some more grounds in support of the relief claimed in O.A. It will not change the nature of the litigation. In O.A., the State has not yet filed reply.</p> <p>3. In view of above, the proposed amendment seems to be necessary for proper adjudication.</p> <p>4. Hence, Misc. Application is allowed and the amendment be incorporated within seven days. Amended copy of O.A. be served upon the Respondents.</p> <p>5. The Respondents are directed to file reply in O.A. on the next date.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

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Original Application No.

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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>Date : 28.02.2019.</p> <p>O.A.No.104 of 2019</p> <p>G. A. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt.Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply on behalf of the Respondents. It is taken on record.</p> <p>3. Learned Advocate for the Applicant wants to argue the matter on merit. Whereas, the learned P.O. seeks short time.</p> <p>4. In view of above, the matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. 05.03.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Date : 28.02.2019.

O.A.No.1065 of 2017

S. S. Panindre

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M. B. Kadam holding for Dr. Shri G. Sadavarte, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. In the present matter the directions are sought to consider the case of the Applicant to grant deemed date of promotion to the post of API w.e.f. 03.08.2015.
3. Today, the learned Advocate for the Applicant has tendered a letter dated 20.01.2018 issued by the office of Director General of Police (DGP) addressed to the Respondent No.1 wherein the proposal for grant to deemed date of promotion w.e.f. 03.08.2018 has been forwarded.
4. Thus, during the pendency of the Application, the office of DGP seems to have considered the issue of deemed date of promotion and forwarded the proposal to Respondent No.1. As such, it is for the Respondent No.1 to take decision on the said proposal and pass appropriate order.
5. In view of above, learned Advocate for the Applicant submitted that O.A. may be disposed of with suitable direction to the Respondent No.1 to decide the proposal within stipulated time. His submission is quite fair.
6. For the aforesaid reasons, the Original Application is disposed of with direction to the Respondent No.1 to decide the proposal dated 20.01.2018 forwarded by the office of DGP, Mumbai and to pass appropriate order within six weeks from today and the decision, as the case may be, be communicated to the Applicant within two weeks thereafter.
7. If the Applicant feels aggrieved by the decision, he is at liberty to avail legal remedy in accordance to law.

8. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2019.</p> <p style="text-align: center;">O.A.No.168 of 2019</p> <p>S. N. Shirke ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 15.03.2019. 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 15.03.2019. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Date : 28.02.2019.

O.A.No.836 of 2017

S. M. Hundekar

....Applicant

Versus

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

1. Heard Shri J. N. Kamble, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. In this matter, the directions are sought to release the pension and gratuity of the Applicant which seems to have not been paid after his retirement.
3. Today, learned P.O. for the Respondents has tendered a letter dated 17.02.2018 issued by the Sasoon Hospital, Pune stating that all the retiral benefits including pension and gratuity has been paid to the Applicant. Thus, it seems that the retiral benefits has been released during the pendency of this Application.
4. However, the learned Advocate for the Applicant submitted that the payment was delayed and, therefore, the Applicant is entitled to interest.
5. In so far as the claim of the interest is concerned, the Applicant is at liberty to make representation to the Respondents who can deal with the same in accordance to law and if the Applicant feels aggrieved by such decision, he may avail further legal remedy in accordance to law.
6. In view of above, the Original Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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: 28/2/2019</p> <p>CORAM: Shri B.P. Patil (M/J) Hos'ble Justice Shri A. H. Joshi (Chairman) Hos'ble Shri P.N. Dixit (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt.: M.B. Kadam Advocate for the Applicant</p> <p>Shri/Smt.: S.P. Manchekar Hd. C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: by consent 27/3/2019.</p> <p><O.A. 353/18)</p> <p><i>[Signature]</i></p>	<p>Date : 28.02.2019.</p> <p>O.A.No.907 of 2018</p> <p>S.N. Vasekar & Ors.Applicants. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents has tendered the copy of letter dated 28.02.2019. The same is taken on record and marked as 'X' for identification.</p> <p>3. By consent adjourned to 27.03.2019.</p> <p>Sd/- (P.N.) Dixit Member(A)</p> <p>Sd/- (B.P. Patil) Member(J)</p> <p>prk</p>

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<p><u>DATE:</u> 28/2/19</p> <p><u>CORAM:</u> Hon'ble Justice <u>Joshi</u> (Chairman) Hon'ble Shri <u>P.N. Dixit</u> (Member) A</p> <p><u>APPEARANCE:</u> Shri K.R. Jagdale Ld. Adv. for the appl. Smt. K.S. Gaikwad Ld. P.O. for the Resp. A.D. 11/3/2019 for reply.</p> <p style="text-align: right;"><i>BLE</i></p>	<p style="text-align: center;"><u>O.A. No.1017 of 2018</u></p> <p>V.P. Kapade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks one week's time to file reply.</p> <p>3. S.O. to 11.3.2019.</p> <p style="text-align: right;">Sd/- <u>P.N. Dixit</u> (P.N. Dixit) Member (A) 28.2.2019</p> <p style="text-align: center;">(sgl)</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 28/2/2018</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Kameshwar (Member) A</p> <p><u>APPEARANCE:</u> Shri/Smt. : M. D. Lonkar Advocate for the Applicant Shri/Smt. : K. S. Gaikwad C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: 11/3/2019</p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.1064 of 2018</u></p> <p>R.S. Jadhav & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply. Ld. Advocate for the applicants opposes the same mentioning that the matter has been pending since long.</p> <p>3. S.O. to 11.3.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 28.2.2019</p> <p>(sgj)</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: 28/2/2019</p> <p>CORAM: Shri B.P. Patil (C.M/J)</p> <p>Hon'ble Justice Shri A. H. Khan (Chairman)</p> <p>Hon'ble Shri M. Ramakrishna (Member) A</p> <p>APPEARANCE:</p> <p>Shri/Smt. K.R. Jagdale Advocate for the Applicant</p> <p>Shri/Smt. S.P. Manchekar Ld. C.P.O./P.O. for the Respondent/s</p> <p>Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p>HE</p>	<p><u>O.A. No.744 of 2018</u></p> <p>A.S. Karkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondent no.1 and 2 and the same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 28.2.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders:
<p>DATE: <u>28/2/2019</u></p> <p>CORAM: <u>Shri B.P. Patil (C.M.J)</u> Hon'ble Justice Shri A. H. Joshi (Chairman) <u>P.N. Dixit</u> Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To. <u>11/3/2019</u></p> <p style="text-align: right;"><i>PK</i></p>	<p>Date : 28.02.2019.</p> <p style="text-align: center;">O.A.No.1118 of 2017</p> <p>S.R. ThoratApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T Chandratre, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned C.P.O. for Respondents.</p> <p>2. Learned C.P.O. Ms. S.P. Manchekar for the Respondents states that she will file affidavit-in-reply to the amended O.A. during the course of the day.</p> <p>3. The same be taken on record. Copy of the same be served to learned Advocate for the Applicant.</p> <p>4. Adjourned to 11.03.2019.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (B.P. Patil) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: 28/2/2019</p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. P. Dixit (Member) A</p> <p>APPEARANCE: Shri/Smt. : Applicant and Advocate by the applicant are absent Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To: The applicant is directed to serve copy of the OA on priority. Liberty to circulate.</p> <p style="text-align: right;"><i>MLA</i></p>	<p style="text-align: center;"><u>O.A. No.812 of 2018</u></p> <p>M.M. Patankar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO mentions that copy of OA has not been served to the office of Ld. CPO.</p> <p>3. The applicant is directed to serve copy of the OA on priority. Liberty to circulate.</p> <p style="text-align: right;">Sd/- / (P.N. Dixit) Member (A) 28.2.2019</p> <p>(sgl)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 28/2/2019</p> <p><u>CORAM:</u> Hon'ble Justice Shri A. H. Jochi (Chairman) Hon'ble Shri P. N. Dixit (Member) A</p> <p><u>APPEARANCES:</u> Shri/ Smt. <u>D. V. Sutar</u> Advocate for the Applicant Shri/ Smt. <u>S. P. Manchekar</u> C.P.O./ P.O. for the Respondent/s</p> <p>Adj. To..... <u>OA is allowed in terms of prayer clause 8(b). No order as to costs.</u></p> <p style="text-align: right;"><u>PH</u></p>	<p style="text-align: center;"><u>O.A. No.805 of 2018</u></p> <p>Amruta L. Salunkhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.V. Sutar, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the Applicant produces a copy of judgment and order dated 10.1.2019 passed by the Hon'ble High Court in Writ Petition No.92 of 2019 MPSC v. Miss Rohini Subhash Sonwalkar & Anr. The judgment has upheld the operative part clause (B) of the order issued by this Tribunal, which reads as under:</p> <p style="text-align: center;"><i>“(B) Respondent no.2 is directed to take up the process of applicant's candidature and recommend and forward the name of the applicant to the Government for appointment as PSI. The said process shall be completed within 10 days from the date of receipt of the order.”</i></p> <p>3. The Ld. Advocate for the applicant mentions that prayer in the present OA is identical and the same relief may be granted, which reads as under:</p> <p style="text-align: center;"><i>“8(b) That this Hon'ble Tribunal further be pleased to direct the respondent no.2 to select the applicant for the post of Police Sub Inspector (PSI) in female open category in pursuance of advertisement No.54/2016 dt. 17.12.2016.”</i></p> <p style="text-align: right;">(Quoted from page 8 of OA)</p> <p>4. Ld. CPO mentions that the MPSC also agrees with the same.</p> <p>5. In view of the above, the Respondent No.2 is directed to implement the orders issued by the Hon'ble High Court as well as this Tribunal. OA is allowed in terms of prayer clause 8(b). No order as to costs.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 28.2.2019</p> <p style="text-align: left;">(sgj)</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>28/2/2019</u></p> <p>CORAM: Hoo'ble Justice Shri A. H. Joshi (Chairman) Hoo'ble Shri M. Kamesh Kumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>Applicant and Advocate for the Applicant, one absent</u> Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>25/3/2019</u> for making statement as far as request of the applicant is concerned.</p> <p style="text-align: right;"><i>M.P.</i></p>	<p style="text-align: center;"><u>O.A. No.661 of 2018</u></p> <p>S.S. Panajkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 25.3.2019 for making statement as far as request of the applicant is concerned.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 28.2.2019</p> <p>(sgl)</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>29/2/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt.: <u>M.D. Lonkar</u> Advocate for the Applicant Shri/Smt.: <u>K.S. Gaikwad</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To: <u>5/3/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.94 of 2018</u></p> <p>A.S. Jakkanawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO mentions that she would seek instructions from the Accountant General regarding amount to be paid to the applicant.</p> <p>3. S.O. to 5.3.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 28.2.2019</p> <p style="text-align: center;">(sgl)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>Date: 28/2/2019</p> <p>CORAM: Shri B.P. Patil (MB)</p> <p>Justice Shri H. Joshi (Chairman)</p> <p>Shri P.N. Dixit (Member) A</p> <p>PLF: NONE</p> <p>Present: Archana B.K.</p> <p>Advocate for the Applicant: Coram. Rapp.</p> <p>Shri/Son: C.T. Chandratre</p> <p>Adv. for the Respondent/s: Coram. Appl.</p> <p>Adj. To: In view of this MA is allowed.</p> <p style="text-align: right;">B.P. Patil</p>	<p>Date : 28.02.2019.</p> <p>M.A.No.74 of 2019 (A) in O.A.No.1111 of 2017</p> <p>The State of MaharashtraApplicant (Org. Respondent).</p> <p>Versus</p> <p>P.K. MangudkarRespondent (Org. Applicant).</p> <p>1. Heard Smt. Archana B.K., the learned Presenting Officer for the Applicant (Org. Respondent) and Shri C.T. Chandratre, the learned Advocate for the Respondents (Org. Applicant).</p> <p>2. Applicant (Original Respondent) has filed the M.A.No. 74/2019(A) for extension of time granted to conclude the Departmental Enquiry against the original applicant. It is contention of the present Applicant that as per directions that the departmental enquiry has been completed within stipulated time and report was submitted to the disciplinary authority for taking final decision regarding punishment to be imposed on the original applicant. It is contention of the applicant that Respondent No.1 (Org. Applicant) is retired now and therefore the disciplinary authority has to forward proposal regarding punishment, to the M.P.S.C. and after approval of the M.P.S.C. final punishment has to be imposed on the original applicant and therefore sometime is required. On that ground applicant sought extension of time by 2 months.</p> <p>3. Learned Advocate for Respondent No.1(Org. Applicant) has strongly objected for extension of time on the ground that present applicant has not completed enquiry expeditiously within stipulated time and therefore he prayed to reject the M.A.</p> <p>4. On perusal of the record it reveals that the enquiry has been concluded within stipulated time and the enquiry officer has submitted the report to the disciplinary authority. Only the decision regarding imposition of punishment has to be taken by the disciplinary authority and for that purpose matter has to be placed before the disciplinary authority and after the decision of the disciplinary authority the same has to be forwarded to the M.P.S.C. for approval as the applicant is retired. Therefore some time is required to the Respondent.</p> <p>5. In view of these facts, it is just to extent the period granted to the applicant by this Tribunal while deciding the O.A.No.1111/2017. Therefore we are of the view that it is just to extend the period by two months.</p> <p>6. In view of this M.A. is allowed. Period granted to the applicant to decide the enquiry is now extended by two months. Applicant (Org. Respondent No.1) shall take final decision in the enquiry on or before 30.04.2019.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(B.P. Patil) 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
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Date : 28.02.2019.

O.A.No.231 of 2016

J.R. KoliApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

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

2. The matter has been reserved for order after hearing both parties yesterday. On perusal of the record it reveals that the respondents has relied on Government Resolutions dated 30.06.2004 and 18.05.2013 while preparing the revised seniority list in the cadre of Senior Clerk. But these G.R. and circulars are not produced on record. Not only this, the Applicant has also placed reliance on the judgment of the Hon'ble High Court in case of Arun Sonone Vs. State of Maharashtra, [2015(1)Mh.L.J.457]. Applicant has also not produced the copy of the said judgment.

3. In the absence of the above said material documents, it is difficult to adjudicate the issue involved in the matter effectively and therefore both the parties are directed to produce the relevant record.

4. The matter be fixed for rehearing on 29.03.2019.

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

Sd/-
(B.P. Patil)
Member(J)

prk

DATE: 28/2/2019

CORAM: Shri B.P. Patil (M/J)
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramasubramanian (Member) A

APPEARANCES:

Shri K.R. Jagdale

Advocate for the Applicant

Smt K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To: The matter be fixed
for rehearing on 29/3/2019.

[Handwritten signature]