

**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 : 28.02.2020

O.A.No.918 of 2018

1. Heard Shri C. R. Sadasivan, learned Counsel for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The matter is for final hearing and during the course of hearing, learned C.P.O. raised objection that there is no challenge to G.R. dated 22.10.2016 whereby service of the applicant has been regularized with certain terms and conditions.
3. As per terms and conditions mentioned in G.R., the Applicant is not entitled to whole pension scheme and her pay is also re-fixed at initial level among other conditions.
4. Learned Counsel for the Applicant therefore submits that he will file M.A. to amend O.A. so as to challenge the relevant terms and conditions mentioned in G.R.
5. S.O. to 13.03.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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

Tribunal's orders

Date : 28.02.2020

O.A.No.136 of 2020

H. V. Bhat

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.

3. S.O. to 12.03.2020 at the request of learned Counsel for filing rejoinder.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2020</p> <p>O.A.No.1136 of 2018</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel are absent. Heard Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. for the Respondents submits that quarter is already allotted to Applicant in new scheme i.e Online Quarter Allotment System. 3. As quarter is allotted to the Applicant that seems to be the reason for absence of Applicant. 4. Original Application is, therefore, dismissed in default. 5. No order as to cost. <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 28.02.2020</p> <p>O.A.No.912 of 2019</p> <ol style="list-style-type: none">1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri M. D. Lonkar, learned Counsel for Respondent No.2.2. Today, leaned Counsel for the Applicant has filed Rejoinder. It is taken on record.3. On request of learned C.P.O., the matter is adjourned for a week to apprise the Tribunal about the decision on representation made by Applicant in view of his posting by order dated 04.10.2019.4. S.O. to 09.03.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2020</p> <p>O.A.No.938 of 2019</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant; Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri M. D. Lonkar, learned Counsel for Respondent No.2. 2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record. 3. S.O. to 09.03.2020. <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2020</p> <p align="center">O.A.No.46 of 2019</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents. 2. Learned Counsel for the Applicant submits that in 2019 Respondent No.1 issued G.R. dated 31.10.2019 which is not considered by the Respondents while filing reply. She submits that if the Respondents consider the applicability of G.R. dated 31.10.2019 to the Applicants then grievance of the Applicants may not survive. 3. Learned P.O. seeks two weeks time to take instructions about G.R. dated 31.10.2019. 4. S.O. to 12.03.2020. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(Advocate)

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Office Notes, Office Memoranda of Caram, Appaarence, Tribunal's orders ar directions and Registrar's ordars	Tribunal's orders
	<p>Date : 28.02.2020</p> <p>O.A.No.194 of 2019</p> <ol style="list-style-type: none"> 1. Heard Shri A. R. Joshi, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. In the present O.A., challenge is to the recovery of Rs.3,23,008/- from the gratuity of Applicant. 3. It appears <i>prima-facie</i> there was some mistake in G.P.F. account of the Applicant. As seen from Page No.126 of PB, in the year 1995-1996 closing balance was Rs.81,380/- and the same was carried to 1996-1997 as opening balance of Rs.813807/-. In that year, contribution was shown zero, therefore, interest amount of Rs.9,766/- was added and total amount of Rs.91146/- is shown as closing balance at the end of 1996-1997. 4. Accordingly, in the year 1997-1998, opening balance was shown as Rs.91146/- and contribution of Rs.21800/- was also added in the said financial year. However, under the column of arrears amount of Rs.81380/- was shown added in the account. According to Respondents, this amount of Rs.81,380/- was wrongly added in his account and the said mistake was not detected till his retirement. Resultantly, interest on Rs.81,380/- year to year got added in the account and thereby his balance was swelled. <p style="text-align: right;">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Respondents, therefore, recalculated the amount by correcting the mistake and at the time of retirement some of Rs.2,65,632/- was found at credit in his G.P.F. account. However, the Applicant has withdrawn much amount in between, and therefore, it was noticed that excess payment than of his credit was paid to him because of one wrong entry of Rs.81,380/- in the year 1997-1998. It is on this background, recovery of Rs.3,23,008/- was ordered and it was adjusted from gratuity of the Applicant.</p> <p>6. Learned Counsel for the Applicant has pointed out that though the Applicant has made contribution of G.P.F. in year 1996-1997, it was not added in his account. He has tendered one communication issued by the department which shows his contribution in 1996-1997. It is taken on record and marked by letter 'X'. Insofar as this aspect is concerned, in page No.126, no amount is shown, contributed by the Applicant.</p> <p>7. It is, therefore, necessary to find out that whether the Applicant has really made any contribution in his G.P.F. account in the year 1996-1997 as reflected in communication 'X' tendered by the learned Counsel today.</p> <p>8. Learned C.P.O. is, therefore, directed to take instructions from the department about contribution of the Applicant in the year 1996-1997 and if it is found that Applicant has really made such contribution then it should be added in his account along with interest accrued thereon and to file fresh statement to show the correct amount of alleged excess payment.</p> <p>9. S.O. to 20.03.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

(G.C.P.) J 2735 (50,000—4-2019)

[Spl.- MAT-F-2 E.

**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
	<p>Date : 28.02,2020</p> <p>M.A. No.698 of 2019 in O.A.No.905 of 2017</p> <ol style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. Learned P.O. for the Respondents submits that reply to M.A. will be filed during the course of the day. Statement is accepted. It be taken on record.3. Adjourned for hearing on 12.03.2020. <p style="text-align: right;">Sd/- V (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.

(G.C.P.) J 2735 (50,000—4-2019)

[Spl.- MAT-F-2 E.

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Office Notes, Office Memoranda of Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2020</p> <p>O.A.No.159 of 2020</p> <ol style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.2. Learned Counsel for the Applicant requested for permission to delete the Respondent No.3 from the array of Respondents as not necessary party.3. Allowed to delete the name of Respondent No.3.4. Matter is adjourned for hearing to 03.03.2020. <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 directions and Registrar's orders	Tribunal's orders
	<p>Date : 28.02.2020.</p> <p>M.A.No.529 of 2019 in O.A.No.959 of 2019</p> <p>R.A. KoliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. Komal Shind , learned Advocate holding for Shri R.M. Yamgar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 27.03.2020. 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.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, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 27.03.2020. <p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="748 570 932 599">Date : 28.02.2020</p> <p data-bbox="837 614 1281 650">M.A. No.91 of 2010 in D. A. No.112 of 2020</p> <ol data-bbox="748 694 1403 1838" style="list-style-type: none"><li data-bbox="748 694 1403 805">1. Heard Shri U. V. Bhosale holding for Shri C. W. Mane , learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.<li data-bbox="748 820 1403 898">2. Issue notice before admission returnable on 27.03.2020.<li data-bbox="748 913 1403 1024">3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.<li data-bbox="748 1039 1403 1223">4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.<li data-bbox="748 1238 1403 1384">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 data-bbox="748 1400 1403 1583">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 data-bbox="748 1599 1403 1782">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.<li data-bbox="748 1798 1049 1838">8. S.O. to 27.03.2020. <p data-bbox="1143 1860 1203 1889" style="text-align: right;">Sd/-</p> <p data-bbox="1105 1933 1263 1988" style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p data-bbox="789 2004 824 2026">vsm</p>

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	<p>Date : 28.02.2020</p> <p>O.A.No.143 of 2020</p> <ol style="list-style-type: none">1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.2. Present O.A. is filed for direction to Respondent No.1 to consider the proposal dated 24.05.2019 forwarded by Respondent No.2 about leave of the Applicant.3. Perusal of O.A. reveals that Applicant was on medical leave from 10.12.2018 to 29.04.2019 for 141 days. He had submitted necessary documents about treatment as well as fitness certificate to the department. Accordingly, Respondent No.2 submitted the proposal to Respondent No.1 on 24.05.2019 but it is not yet decided and the Applicant is deprived of getting salary of the said period.4. In view of above, O.A. deserves to be disposed of with suitable directions.5. Respondent No.1 is directed to pass appropriate order on proposal submitted by Respondent No.2 on 24.05.2019 in accordance to rules within three weeks from today and it be communicated to the Applicant immediately.6. No order as to cost.7. Hamdast and steno copy is granted. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>28.02.2020</u></p> <p><u>O.A 1129/2019 with M.A 680/2019</u></p> <p>Shri U.D Mhaske ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Potbhare, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant submits that the pagination would be done correctly.</p> <p>3. M.A and O.A will be heard together on 2nd March, 2020.</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>28.02.2020</u></p> <p><u>O.A 323/2017</u></p> <p>Dr V.U Isane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Applicant as well as learned advocate for the applicant are absent. Heard Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned PO on instructions from Shri P.R Choudhari, Clerk, Health Department, Zilla Parishad, Thane, submits that the matter has been referred to the Finance Department by Zilla Parishad and progress regarding the same would be intimated on 2nd March, 2020.</p> <p>3. Adjourned to 2.3.2020.</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

[Spl.- MAT-F-2 E.

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>28.02.2020</u></p> <p><u>O.A 663/2019.</u></p> <p>Shri S.S Panindre ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle holding for Shri M.B Kadam, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant seeks adjournment.</p> <p>3. S.O 2.3.2020.</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(G.C.P.) J 2959(B) (50,000-3-2017)

[Spl.- MAT-F-2 E.

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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>28.02.2020</u></p> <p><u>O.A 47/2020</u></p> <p>Shri S.S Panindre ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle holding for Shri M.B Kadam, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant seeks adjournment.</p> <p>3. S.O 2.3.2020.</p> <p style="text-align: right;">Sd/- (P.N'Dixit) Vice-Chairman (A)</p> <p>Akn</p>

(G.C.P.) J 2959(B) (50,000—3-2017)

(Spl.- MAT-F-2 E.

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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>28.02.2020</u></p> <p><u>O.A 1058/2019</u></p> <p>Shri S.M Wankhede ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, holding for Shri B.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks two weeks' time for filing reply.</p> <p>3. Adjourned to 23.3.2020.</p> <p style="text-align: right;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p>