

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : <u>29/1/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : <u>M.R. Patil</u> Advocate for the Applicant</p> <p>Shri/Smt. : <u>H.K. Rajpurohit</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj.S.O. to <u>Present OAs are decided accordingly and they are dismissed.</u></p> <p style="text-align: right;"><i>M.R.</i></p>	<p><u>O.As. No.682 to 686, 691, 692, 694, 701 to 703 of 2017</u></p> <p>N.M. Gandhi (OA. No.682/17) D.S. Sid (OA. No.683/17) N.P. Supe (OA. No.684/17) Dr. R.N. Tarpude (OA. No.685/17) D.M. Bhamray (OA. No.686/17) V.E. Thomas (OA. No.691/17) H.M. Ahale (OA. No.692/17) L.G. Rathod (OA. No.694/17) A.R. Rathod (OA. No.701/17) K.G. Gore (OA. No.702/17) P.M. Raut (OA. No.703/17) ..Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.R. Patil, learned Advocate for the Applicants and Shri N.K. Rajpurohit, learned Presenting Officer for the Respondents.</p> <p>2. Today this Tribunal has decided OA No.681 of 2017 (Shri Vijaykumar Arjun Kose Vs. The State of Maharashtra & Ors.), which was argued as a lead case in group of OAs by Shri M.R. Patil, learned Advocate, who is common in all these OAs.</p> <p>3. Present applicants' case has got only one distinguishing factor viz. tenure in Mumbai and Thane region. Therefore, for the same reasons, which are recorded in OA No.681/17, present OAs are decided accordingly and they are dismissed.</p> <p style="text-align: right;"><i>Sd/-</i> (A.H. Joshi, J) <i>hms</i> Chairman 29.1.2018</p> <p>(sgj)</p>

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

Tribunal's orders

Date : 29.01.2018

O.A.No. 87 of 2018
(D.B.)

A. M. Vasmani

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicant and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 26.02.2018.

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 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

DATE : 29/1/2018

CORAM : Shri J.D. Kulkarni (V/C)
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri ~~Smt~~ A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt A.J. Chougule

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

Adj./S.O. to 26/2/2018

BAT
J.L.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : 29/1/2018</p> <p>CORAM : Shri J.D. Kulkarni (V/K) Hon'ble Justice Shri A. W. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. : A.G. Ambekar Advocate for the Applicant</p> <p>Shri/Smt. : S.P. Manchekar C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to 26/2/2018</p> <p style="text-align: right;">B/E</p>	<p>Date : 29.01.2018</p> <p>O. A. No. 46 of 2018 (D.B.)</p> <p>S. S. RatnaparkhiApplicant</p> <p>Versus</p> <p>The State of Mah. & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. G. Ambekar, the learned Advocate for the Applicant and Ms S. P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Learned Counsel for the applicant submits that the applicant was allowed to take part in the written test which has already held on 13.08.2017. The result of the test is not yet declared and, therefore, the claim regarding allowing the applicant to participate in the substantive test will be pre-matured. 3. In view thereof, issue notice before admission returnable on 26.02.2018. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within 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 9. S.O. to 26.02.2018. <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman</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 <u>M.A. No.55 of 2018 in O.A. No.535 of 2017</u>
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Dr. Ashish Bhivapurkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.S. Shukla, learned Advocate for the Applicant, Miss Savita Suryawanshi, learned Presenting Officer for Respondents No.1 to 3 and Shri M.D. Lonkar, learned Advocate for Respondent No.4.

2. OA is awaiting admission.
3. By this MA, applicant has proposed addition of certain paras and annexures.
4. MA for leave to amend is allowed.
5. Amendment be carried out within a week and copies be served on all respondents.

DATE : 29/1/2018

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

APPEARANCE:
Shri/Smt. : G.S. Shukla

Advocate for the Applicant

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

Adj./S.O. to MA for leave
to amend is allowed.

HT

(sgj)

Q
Sd/-
(A.H. Joshi, J.)
Chairman
29.1.2018

**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 : 29.01.2018

**O.A. No. 04 of 2018
(D.B.)**

S. M. Jadhav & Ors.Applicants

Versus

The State of Mah. & Ors.Respondents.

1. Heard Shri C. T. Chandratre, the learned Advocate for the Applicants and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply. S.O. to 12.02.2018. Interim relief to continue till date.

Sd/-

**(J.D. Kulkarni)
Vice-Chairman**

vsm

DATE : 29/1/2018

CORAM : Shri J.D. Kulkarni
Hon'ble Justice Shri A. H. Joshi (Chairman)

APPEARANCE:

Shri/Smt. C.T. Chandratre

Advocate for the Applicant

Shri/Smt. A.J. Chougule

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

Adj./S.O. to 12/2/2018

Interim relief to continue till date.

[Handwritten initials]

**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>29/1/2018</u></p> <p>CORAM : Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Hesed Appl. in person.</p> <p>Appearance by the Applicant <u>Archana B.K.</u></p> <p>Appearance for the Respondent/s <u>O.A is dismissed.</u></p> <p align="right"><i>AKN</i></p>	<p align="center"><u>29.01.2018</u></p> <p align="center"><u>O.A No 78/2018</u></p> <p>Shri R.T Shelar ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard applicant in person and Ms Archana B.K learned Presenting Officer for the Respondents.</p> <p>2. His grievance in this Original Application is as narrated in various grounds. He claims discriminatory treatment in the matter of giving posting as per request.</p> <p>3. He apprehends threat to his life in view of his posting at Hingoli.</p> <p>4. The averments contained in the O.A as regards threat to his life do not inspire confidence.</p> <p>5. Though the transfer order is challenged, it is not shown that it is vitiated due to any illegality. Order cannot be assailed unless it is shown to violate any of the mandatory provisions of ROT Act 2005.</p> <p>6. In the result, O.A does not have any merit and is dismissed.</p> <p align="right">Sd/- <i>(A.H Joshi, J.)</i> Chairman</p> <p align="right">AKN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>29/1/2018</u> CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>C.T. Chandratre</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S. Suryavanshi</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>5/4/2018</u> <u>steno copy & Hamdast is granted.</u></p> <p align="right"><i>[Signature]</i></p>	<p align="center"><u>29.01.2018</u></p> <p align="center"><u>O.A No 1169/2017</u></p> <p>Shri Aadhar V. Mistary ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Savita Suryavanshi, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O is directed to take instructions on following point:-</p> <p>Why an order that suspension of applicant shall stand revoked in the event service of charge sheet and commencement of enquiry are not done on or before 5.4.2018.</p> <p>3. S.O to 5.4.2018.</p> <p>4. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.</p> <p align="right">  Sd/- (A.H Joshi, J.) Chairman </p> <p align="right"><i>[Signature]</i></p> <p align="center">Akn</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>29/1/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>K.R. Jagdale</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>CA is disposed of withdrawn with liberty to file from if occasion arises.</u></p> <p style="text-align: right;"><i>prk</i></p>	<p>Date : 29.01.2018.</p> <p style="text-align: center;">C.A.No.7 of 2018 in O.A.No.1033 of 2016</p> <p>S.B. Tokare & Ors.Applicants.</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicants and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate for the Applicant prays for permission to withdraw this C.A., take suitable measures and then file application for action for contempt, if occasion arises.</p> <p>3. In view of the request of learned Advocate for the Applicant, C.A. is disposed as withdrawn with liberty to file fresh, if occasion arises.</p> <div style="text-align: right;">  Sd/- (A.H. Joshi J.) Chairman </div>

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 : 29.01.2018.

M.A.No.67 of 2017 in C.A.No.14 of 2017 in
O.A.No.671 of 2013

L.N. SoniApplicant.

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri S. Patil, the learned Advocate for the Applicant and Shri M.D. Lonkar, the learned Special Counsel with Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Accepting the grounds and averments contained in M.A., M.A. is allowed.

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

prk

DATE : 29/1/2018

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

APPEARANCE:
Shri/Smt: S. Patil

Advocate for the Applicant

Shri/Smt: M.D. Lonkar, Spl. Counsel
C.P.O./P.O. for the Respondent/s
with Ms. S. Suryawanshi, Ld. P.O. for Rpts
Adj./S.O. to
MA is allowed.

M.D.
Lonkar

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>29/1/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>G.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>In view of withdrawal of above OA, present MA does not survive.</u></p> <p style="text-align: right;"><i>mye</i></p>	<p><u>M.A. No.544 of 2017 in O.A. No.1172 of 2017</u></p> <p>Shri G.S. Pawara & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. In view of withdrawal of above OA, present MA does not survive.</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J) <i>sm</i> Chairman 29.1.2018</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>29/1/2018</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt. <u>G.A. Bandiwadkar</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>K.B. Bhise</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>OA is allowed to be withdrawn and disposed off as such.</u></p> <p style="text-align: right;"><i>YAT</i></p>	<p><u>O.A. No.1172 of 2017</u></p> <p>Shri G.S. Pawara & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadkar, learned Advocate for the Applicants and Shri K.B. Bhise, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants prays for leave to withdraw the above OA.</p> <p>3. Leave granted.</p> <p>4. OA is allowed to be withdrawn and disposed off as such.</p> <p style="text-align: right;">  Sd/- (A.H. Joshi, J) Chairman 29.1.2018 </p> <p>(sgj)</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.89 OF 2018 (D.B.)

S. R. Bhagwan)

....Applicant

Versus

The State of Maharashtra & Ors.)

.....Respondents.

Shri S. S. Deokar, Advocate for Applicant

Smt. Archana B.K., P.O. for Respondents.

CORAM : SHRI J. D. KULKARNI, HON'BLE VICE-CHAIRMAN

DATE : 29.01.2018

ORDER

1. Heard Shri S. S. Deokar, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.
2. The applicant in this case is claiming the appointment to the post of Clerk-Typist. He belongs to OBC category and applied for the said post from the OBC category. However, it is his case that he got higher marks than the person appointed on the merit from open category. Therefore, the respondents cannot deny the appointment to him. The applicant also placed reliance on the judgment delivered by this Tribunal in **O.A. No. 524 & 841/2017, dated 02.11.2017**. Learned Counsel for the applicant states that the applicant's case is covered by that judgment.
3. However, in my opinion, it is necessary to obtain the say of the respondents in this regard so as to see whether the case of the applicant is covered by the judgment of this Tribunal.
4. In view thereof, issue notice before admission returnable on 19.02.2018.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

P.T.O.



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 19.02.2018.

11. The Respondent No.2 is directed to give details of the Respondent No.3 to the applicant. Hamdast.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NOS 453, 454, 455 & 456/2017

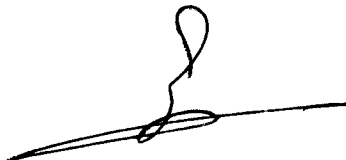
DISTRICT : PUNE

1. ORIGINAL APPLICATION NO. 453 OF 2017

Shri Sidram Dadarao Dhavane,)
Working as Inspector of Legal Metrology,)
R/at Plot No. 249, Indraprastha C.H S,)
Phast-1, Hadapsar, Pune 411 028.)...**Applicant**

Versus

1. The State of Maharashtra)
Through Chief Secretary,)
Mantralaya, Mumbai 400 032.)
2. Principal Secretary,)
Food, Civil Supply and Consumer)
Protection Department,)
Madam Cama Marg,)
Hutatma Rajguru Chowk,)
Mantralaya, Mumbai 400 032.)
3. Shri A.Y Ingole)
Inspector of Legal Metrology,)
Kolhapur-3 Division,)
1845, C-Ward, Hattimahal Road,)
Near Matan Market,)
Bindu Chowk, Kolhapur 416 012.)...**Respondents**



2. ORIGINAL APPLICATION NO. 454 OF 2017

Shri Rajendra Dattatraya Jadhav,)
Working as Inspector of Legal Metrology,)
R/at Plot No. 9, Shivdham Society,)
Solapur Road, Hadapsar,)
Gadital, Pune 411 028.)...**Applicant**

Versus

1. The State of Maharashtra)
Through Chief Secretary,)
Mantralaya, Mumbai 400 032.)
2. Principal Secretary,)
Food, Civil Supply and Consumer)
Protection Department,)
Madam Cama Marg,)
Hutatma Rajguru Chowk,)
Mantralaya, Mumbai 400 032.)
3. Shri S.R Mahajan)
Inspector of Legal Metrology,)
Ahmednagar-1 Division,)
Behind Ahmednagar Gas Agencies,)
Shahaji Road, Tambatkar Lane,)
Ahmednagar 414 001.)...**Respondents**

3. ORIGINAL APPLICATION NO. 455 OF 2017

Shri Hemant Prabhakar Kulthe,)
Working as Inspector of Legal Metrology,)
R/at A-802, S.No. 62 & 63)
Astoniya Royale, Narhe Ambegaon Road,)
Ambegaon Budruk, Pune 411 046)...**Applicant**

Versus

1. The State of Maharashtra)
 Through Chief Secretary,)
 Mantralaya, Mumbai 400 032.)
2. Principal Secretary,)
 Food, Civil Supply and Consumer)
 Protection Department,)
 Madam Cama Marg,)
 Hutatma Rajguru Chowk,)
 Mantralaya, Mumbai 400 032.)
3. Shri V.V Kasale)
 Inspector of Legal Metrology,)
 Haveli-1,)
 820, Sathe Biscuit Compound)
 Bhavani Peth, Pune 411 042.)...**Respondents**

4. ORIGINAL APPLICATION NO. 456 OF 2017

- Shri Jitendra Raghunath Amrute,)
 Working as Inspector of Legal Metrology,)
 R/at A/304, Sun Orbit, Sun City Road,)
 Anandnagar, Pune 411 051.)...**Applicant**

Versus

1. The State of Maharashtra)
 Through Chief Secretary,)
 Mantralaya, Mumbai 400 032.)
2. Principal Secretary,)
 Food, Civil Supply and Consumer)
 Protection Department,)
 Madam Cama Marg,)



- Hutatma Rajguru Chowk,)
Mantralaya, Mumbai 400 032.)
3. Shri T.K Patil)
Inspector of Legal Metrology,)
Pune-5 Division,)
820, Sathe Biscuit Compound,)
Near Bhavani Mata Mandir,)
Bhavani Peth, Pune 411 042.)...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicants.

Shri N.K Rajpurohit, learned Presenting Officer for the Respondents.

Shri A.V Bandiwadekar, learned advocate for Respondent no. 3 in O.A 456/2017.

Shri C.T Chandratre, learned advocate for applicant in M.A 251/2017 in O.A 455/2017.

CORAM : Shri Justice A.H Joshi (Chairman)

RESERVED ON : 09.01.2018

PRONOUNCED ON : 29.01.2018

ORDER

1. Heard Smt Punam Mahajan, learned advocate for the Applicants, Shri N.K Rajpurohit, learned Presenting Officer for the Respondents, Shri A.V Bandiwadekar, learned advocate for Respondent no. 3 in O.A 456/2017 and Shri C.T Chandratre, learned advocate for applicant in M.A 251/2017 in O.A 455/2017.

2. These group of five Original Applications wherein orders of transfers are challenged were heard together.

3. Though separate orders are issued, the decision to transfer all the applicants is a part of common decision.

4. The case was heard for sometime and various points were argued and different affidavits have come on record. Ultimately, when the cases were taken up for final hearing, learned advocate for the applicants has restricted the submission only on one point, namely, whether impugned transfer is bad because it has been ordered:-

- (a) Without recording due and proper reasons;
- (b) Whether completion of 3 or six years consisting 365 days in each year is mandatory condition for reckoning of computing the tenure of each year at a particular place.
- (c) Without approval of the authority above the competent authority, because the impugned transfer is mid-tenure transfer since the applicants have not completed statutory tenure of 3 years to which they are entitled as a matter of right created under statute.

5. Adjudication of question Nos 2 & 3 is required or even if done is contingent upon answer to third question, namely, whether 3 years must mean 36 months.

6. Facts of the case are in totality admitted and do not need reference at length. It shall suffice to mention that all five applicants have served at their respective posts for less than 3 years with reference to the date of impugned transfer order. Their transfers were not proposed by the Department nor were vetted by the Civil Services Board. After the proposal of the Department for general transfers was placed before Hon'ble Minister, he wrote a note and has decided to transfer the officers and based on that decision, impugned orders has been issued by the department.



7. The department as well as Hon'ble Minister have treated subject matter transfer as general transfer done on the periodicity and hence the procedure of seeking approval of next higher authority, i.e. Hon'ble Chief Minister has not been resorted to. The reasons are contained in the decision recorded by the Hon'ble Minister.

8. Sufficiency of reasons or legality thereof is not called in question. During the submission, though, Original Application contained some suggestive reference to the challenge on that ground.

9. In view that the matter revolve around limited question of tenure, parties have relied upon judgment governing that issue.

10. The judgment will be discussed hereinafter. However, it has to be mentioned that Division Bench of this Tribunal constituted of Shri Justice A.B Naik, Hon'ble Ex-Chairman and Shri R.B Budhiraja, Hon'ble Ex. Vice-Chairman had decided on 4th October 2007 in O.A no 376/2007 & Ors (Shri Murlidhar Changdeo Patil Vs. Government of Maharashtra & Ors), in which after detailed discussion a view is taken that the period of 3 years contemplated by ROT Act 2005 is a mandatory provision and any short fall therein would amount to curtailing the statutory right.

11. There are few other judgments referred by Members of this Tribunal sitting singly keeping in with the view taken by Division Bench of this Tribunal in Shri Murlidhar C. Patil's case supra, however, without referring to that judgment.

12. Learned Advocate for the Applicants has cited certain judgments of this Tribunal where Single Member of this Tribunal

took a view that adherence to three years tenure or six years, as the case may be, is mandatory. Those judgments are as follows:-

- (a) Judgment of this Tribunal dated 22.9.2006 in O.A 459/2006 (Dr. Tulsidas Abarao More Vs. Principal Secretary, Public Health Department).
- (b) Judgment of this Tribunal dated 4.10.2007 in O.A 376/2007 & Ors (Shri Murlidhar C. Patil Vs. State of Maharashtra & Ors).
- (c) Judgment of this Tribunal dated 23.6.2009 in O.A 694/2009 (Shri V.K Pawar Vs. State of Maharashtra & Ors).
- (d) Judgment of this Tribunal dated 28.1.2016 in O.A 392/2015 (Shri R.G Ilawe Vs. State of Maharashtra & Ors).

13. Learned Advocate Shri A.V Bandiwadekar for Respondent no. 3 in O.A 455/2017 has relied on certain judgments to urge that adherence to three years is not mandatory. Those judgments are as follows:-

- (a) Judgment of this Tribunal dated 7.1.2013 in O.A 366/2012 (Shri M.M Jorwekar Vs. State of Maharashtra & Ors).
- (b) Judgment of this Tribunal dated 17.8.2010 in O.A 950/2009 (Shri S.R Chavan Vs. State of Maharashtra & Ors).
- (c) Judgment of this Tribunal dated 26.11.2009 in O.A 869/2009 (Shri N.D Bhat Vs. Government of Maharashtra & Ors).

14. Learned Presenting Officer has relied on the following judgments:-

- (a) Judgment of Hon'ble High Court dated 11th October, 2010 in Writ Petition No. 3301 of 2010, Shri Ramesh P. Shivdas Vs. The State of Maharashtra & Ors.



- (b) Judgment of Hon'ble High Court dated 30th November, 2010 in Writ Petition No. 8898 of 2010, Shri Rajendra S. Kalal Vs. The State of Maharashtra & Ors.

15. Neither of the parties have cited in judgment of Hon'ble High Court or Hon'ble Supreme Court wherein the period of 3 years prescribed under the ROT Act be construed to mean completed 36 months or it should be read to mean 36 months approximately with allowance of deficiency/short fall of few days or few months.

16. Both parties have relied upon other judgments. However, those judgments would be referred, if need arises.

17. Admittedly there is one judgment of the Division Bench of this Tribunal, namely O.A 376/2007 & ors, Shri Murlidhar C. Patil Vs. State of Maharashtra & Ors, on the point of construction of the statutory term and it is laid down in unambiguous term that it should be of complete 3 years. Though the words "36 months" is not employed, yet complete 3 years implies completed 36 months, and not even one day less.

18. Learned Presenting Officer Shri Rajpurohit has fervently argued that:-

- (a) The judgment of Division Bench of this Tribunal was delivered before 10 years. At that time the statute was new and its workability was still to undergo trial of practical life. It is now tested to time, that the duration of 3 years if construed to mean completed 365 days in each year, it is shown to present in practical life of working various difficulties. The purpose and object of which ROT Act was enacted, gets defeated.
- (b) In later judgment of Hon'ble Member sitting singly be considered to be a view which is reasonable and taken for advancing the aim and object of the statute.

19. This Tribunal has given peaceful consideration to rival submissions and the judgments cited at bar.

20. If the totality of scheme of ROT Act and judgment thereof by this Tribunal and Hon'ble High Court are seen, it would emerge that the Act has been enacted to introduce transparency and ensure fairness in administration and good governance. It needs to be decided as to whether assured tenure means each year, is main or ancillary object of the ROT Act, though ratio of Shri M.C. Patil's case supra leads to construe the tenure as main object.

21. Therefore, I am of the view that though the judgment is delivered by the Division Bench, it be construed as a prima facie view of the matter and considering the discussion contained in the judgment of Hon'ble Member of this Tribunal sitting singly, though the judgments of Hon'ble Single Member of this Tribunal took the view without noticing the judgment of Division Bench, yet the judgment of Division Bench in Shri M.C. Patil's case supra requires to be viewed as a possible view, and Single Member's judgment as another available and equally possible view.

22. The rule as to what is the object of the Act and what was the mischief to be re-medied may be taken into account. The frequent interference in the functioning of the services thereby hampering larger public interest apart from victimizing the Government servants or keeping them constantly shuffling and shifting for political agenda and political figures.

23. In the event for rightful administrative reasons if the tenure is cut down the rigid interpretation that three years must be completed with arithmetic procedure would not operate to advance the cause of remedying the mischief. Hence the construction done



by the Hon'ble Members of this Tribunal sitting singly may be accredited the worth of precedence because those are well considered judgments and have been rendered recent in time.

24. Arithmetic precision of term of three years does not seem to be the object of the Act, hence a doubt arises as to whether view taken by Division Bench in Shri Murlidhar C. Patil's case lays down the law correctly and coherently with the aim and object.

25. Therefore, the correct interpretation of the term Tenure as to whether the fixed statutory tenure of 3 years and 6 years be construed as mandatory, including 365 days in each year imperatively and as a rule, needs reconsideration.

26. Registry is directed to place the papers before the Chairman in the Chamber for passing administrative order as to constituting of bench consisting of three Members.

27. Hence, I am of the view that the judgment delivered by Division Bench in Shri Murlidhar C. Patil's case (O.A 376/2007 & Ors), requires reconsideration, by a larger bench.

28. Hence following questions are framed for reference to a larger bench.

Question:-

- (1) Whether the judgment in Shri Murlidhar C. Patil's case, i.e O.A 376/2007 decided on 4.10.2007 requires reconsideration?
- (2) Whether the statutory tenure of 6 years for 'C' category of Government servants and 3 years for 'B' category is required to be adhere to with arithmetic precision of 365 days in each year or deficiency of few months qua

the transfer season or academic year be construed as permissible?

29. Registry is directed to process the case within one week on administrative side for order for constitution of larger bench.

Sd/-

(A.H. Joshi, J.)
Chairman

Place : Mumbai

Date : 29.01.2018

Dictation taken by : A.K. Nair.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p><u>DATE:</u> 29/1/18</p> <p><u>CORAM:</u> J.D. Kulkarni Hon'ble Shri. RAJIV AGARWAL (Vice - Chairman) Hon'ble Shri R. B. MALIK (Member)</p> <p><u>APPEARANCE:</u> Shri/Smt. V.K. Jagdale Advocate for the Applicant Shri/Smt. K. B. Bhise C.P.O / P.O. for the Respondents</p> <p>Adj. To O.A. as disposed of</p>	<p>Date : 29.01.2018</p> <p>O.A. No. 746 of 2017 (D.B.)</p> <p>S. S. DhasApplicant</p> <p>Versus</p> <p>The State of Mah. & Ors.Respondents.</p> <p>1. Heard Smt. V. K. Jagdale, the learned Advocate for the Applicant and Shri K. B. Bhise, the learned Presenting Officer for the Respondents.</p> <p>2. In this Original Application, the applicant is claiming appointment to the post of Police Constable. He has also claimed that the communication dated 11.05.2017 (Exb. 'H', page 28 of the Paper Book), the claim for the post of Police constable be quashed and set aside.</p> <p>3. Today, the learned Counsel for the applicant placed on record a copy of the appointment dated 01.01.2018 which is marked as exb 'x' for identification from which it seems that the applicant has been appointment on the said post.</p> <p>4. The learned Counsel for the applicant states that in view of the appointment for the aforesaid post, the grievance of the applicant has been redressed and, therefore, the application may be disposed of. The learned Counsel submits that the applicant may be given appointment w.e.f. 06.02.2015 as it has granted to other candidate of the same batch who were appointed. The applicant has already filed representation to that effect and the Competitive Authority may take decision as per rules and regulations thereon.</p> <p>5. The application stands disposed of in view of the fact that the applicant's grievance has been redressed. No order as to costs.</p> <p style="text-align: right;">Sd/- (J.D. Kulkarni) Vice-Chairman</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 29.01.2018

O.A.No. 908 of 2017
(D.B.)

A. S. SapkaleApplicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Learned C.P.O. files reply on behalf of the respondent no.2. learned C.P.O. submits that the reply of respondent no.1 is not necessary.

3. The applicant wants to go through it and for that purpose she seeks three weeks time.

4. S.O. to 19.02.2018.

Sd/-
(J.D. Kulkarni)
Vice-Chairman

vsm

DATE: 29/1/18
CORAM: J.D. Kulkarni
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri. R. M. L. (Member)
APPEARANCE:
Smt. V.K. Jagdale
Advocate for the Applicant
Shri/Smt. Ms. S.P. Manchekar
C.P.O. for the Respondents
Reply filed by A.No. 2.
Adj. To S.O. to 19/2/18.

**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 : 29.01.2018

O.A.No. 902 of 2017

S. B. PatekarApplicant

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. On 30.10.2017, the last chance was granted to file reply affidavit. According to the respondents they have filed Review Petition No. 31713/2017 in the Hon'ble High Court which is pending. For that purpose the respondents have prayed for time. A copy of the said Review Petition is placed on record which is marked as Exb. 'X' for the purpose of identification.

3. Learned C.P.O. for the respondents submits that six weeks time may be granted to file reply affidavit. It is, however, not known as to why the respondents have not moved to Hon'ble High Court for getting necessary orders in this regard.

4. However, in the interest of justice two weeks time is granted to file reply affidavit.

5. S.O. to 12.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

[P.T.O.]

DATE: 29/2/18

CORAM: J.D. Kulkarni
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
Hon'ble Shri B. D. MALIK (Member)

APPEARANCE:
Shri ~~A.V. Bandiwadekar~~

Advocate for the Applicant

Shri ~~MS. S.P. Manchekar~~
C.P.O. for the Respondents

Adj To: S.O to 12/2/18.

**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 : 29.01.2018

**M.A. No.10 of 2018
In
O.A.No.191 of 2017**

M. A. SawantApplicant

Versus

The State of Mah. & Ors.Respondents.

1. Heard Smt. V. K. Jagdale, the learned Advocate for the Applicant and Shri A. J. Chougule, the learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicant wants to incorporate some legal provisions by amending application.

3. The proposed amendment may not change the relief claim in the O.A. as well as pleadings. In view thereof, the application for amendment is allowed and amendment be incorporated within one weeks from today. Liberty to file reply to the amended O.A. is granted to the respondents. A copy of amended O.A. be served to the P.O..

4. S.O. to 26.02.2018 for filing reply.

Sd/-

**(J.D. Kulkarni)
Vice-Chairman**

18

[P.T.O.]

DATE: 29/1/18

CORAM: J.D. Kulkarni
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

Hon'ble Shri. B. MALIK (Member)

APPEARANCE:

Shri/Smt. V.K. Jagdale

Advocate for the Applicant

Shri/Smt. A.J. Chougule
C.P.O./P.O. for the Respondents

Adj. To S.O. to 26/2/18.
for Reply. *[Signature]*

**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 : 29.01.2018

O.A.No.1175 of 2017

K. A. Shete

....Applicant

Versus

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

1. Heard Shri R. M. Kolge, the learned Advocate for the Applicant and Smt. Archana B. K., the learned Presenting Officer for the Respondents.

2. Learned P.O. seeks time to take instructions as regards the judgment passed in O.A. No. 138/2016 by this Tribunal to make a submission.

3. S.O. to 05.02.2018.

Sd/-

**(J.D. Kulkarni)
Vice-Chairman**

vsm

DATE: 29/1/18

CORAM: J.D. Kulkarni

Hon'ble Shri. RAHVAGARWAL
(Vice - Chairman)

Hon'ble Shri. B. MALIK (Member)

APPEARANCE:

Shri/S. R.M. Kolge

Advocate for the Applicant

Shri/Smt. Archana B. K.

C/O/P.O. for the Respondents

Adj. To: s.o. to 5/2/18.

@/af

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>29/1/18</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Shri/Smt.: <u>Kranti L.C.</u> Advocate for the Applicant</p> <p>Shri/Smt.: <u>S.P. Manchekar</u> C.P.O./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>To come upon board on due date.</u></p> <p align="right"><i>MTE</i></p>	<p align="center"><u>29.01.2018</u></p> <p align="center"><u>O.A No 35/2016</u></p> <p>Dr Roopchand Bhendarkar ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <p>1. Heard Kranti L.C, learned advocate for the applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This Original Application is mentioned by learned advocate for the applicant for circulation.</p> <p>3. Circulation is granted. O.A is taken up for hearing.</p> <p>4. Learned Advocate for the applicant prays for leave to amend by way of substituting the entire paper book.</p> <p>5. Leave granted. Substituted Paper Book be served on the Respondents.</p> <p>6. To come up on Board on due date.</p> <p align="right">Sd/- (A.H Joshi, J.) Chairman</p> <p align="right"><i>[Signature]</i></p> <p align="center">Akn</p>

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

Tribunal's orders

Date : 29.01.2018

O. A. No. 47 of 2018 (D.B.)

A. R. Shaikh

....Applicant

Versus

The State of Mah. & Ors.

.....Respondents.

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

2. Learned Counsel for the applicant submits that the applicant was allowed to take part in the written test which has already held on 13.08.2017. The result of the test is not yet declared and, therefore, the claim regarding allowing the applicant to participate in the substantive test will be pre-matured.

3. In view thereof, issue notice before admission returnable on 26.02.2018.

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

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

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

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

8. In case notice is not collected within 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

9. S.O. to 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

DATE: 29/1/18

CORAM:

J.D. Kulkarni
Hon'ble Shri. RAJIVAGARWAL
(Vice-Chairman)

~~Hon'ble Shri. R. N. Kulkarni (Member)~~

APPEARANCE:

Shri. A. G. Ambetkar

Advocate for the Applicant

Shri/Smt. Ms. S. P. Manchekar

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

Adj. To: S.O. to 26/2/18.

[Signature]

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

Tribunal's orders

Date : 29.01.2018

O. A. No. 86 of 2018

B.B. Koli

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicant undertakes to remove office objection.

3. Issue notice before admission returnable on 26.02.2018.

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

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

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

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

8. In case notice is not collected within 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

9. S.O. to 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

DATE: 29/1/18

CORAM: J.D. Kulkarni

Hon'ble Shri RAVI AGARWAL
(Sd/- Chairman)

(Hon'ble Member)

APPEARANCE BY:

Shri M.D. Lonkar

Addressed by the Applicant

Shri/Smt K.B. Bhise

CPO/K.O. for the Respondents

Adj. To S.O. to 26/2/18



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

Tribunal's orders

Date : 29.01.2018

O. A. No. 85 of 2018

B.B. Koli

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant undertakes to remove office objection.
3. Issue notice before admission returnable on 26.02.2018.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within 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
9. S.O. to 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

DATE: 29/1/18

CORAM:

J.D. Kulkarni
Hon'ble Shri. RAJYAGARWAL
(Vice - Chairman)

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

APPEARANCE:

Shri Shri M.D. Lonkar

Advocate for the Applicant

Shri Shri K.B. Bhise

C.P.O. for the Respondents

Adj. To S.O. to 26/2/18.

(Signature)

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

Tribunal's orders

Date : 29.01.2018

O.A.No.1173 of 2017

Shri B. J. Borse

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

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

2. Issue notice before admission returnable on 26.02.2018.

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 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

vsm

DATE: 29/1/18

CORAM:

J.D. Kulkarni
Hon. Mr. RAJYAGARWAL
(Vice - Chairman)

Hon. Mr. B. MALIK (Member)

APPEARANCE:

Shri/Smt. A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. Archana B.K.

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

Adj. To: S.O. to 26/2/18.



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

Tribunal's orders

Date : 29.01.2018

O.A. No. 92 of 2018

R. C. Advani

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicant undertakes to remove office objection.

3. Issue notice before admission returnable on 26.02.2018.

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

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

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

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

8. In case notice is not collected within 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

9. S.O. to 26.02.2018.

Sd/-

(J.D. Kulkarni)
Vice-Chairman

DATE: 29/1/18

CORAM:

J. D. Kulkarni
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

~~Hon'ble Shri B. D. MALHS (Member)~~

APPEARANCE:

Shri/Smt. A. V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. K. B. Bhise

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

Adj. To: S.O. to 26/2/18.